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House of Representatives

OF THE

STATE OF ALABAMA REGULAR SESSION OF 1987

HELD IN THE CITY OF MONTGOMERY, ALABAMA
COMMENCING TUESDAY, APRIL 21, 1987

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CLERK OF THE HOUSE

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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
REGULAR SESSION
OF 1987

TWENTY-EIGHTH DAY

House of Representatives
Montgomery, Alabama
Thursday, July 16, 1987

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Joe Whitt, Pastor, First Baptist Church, Hamilton, Alabama.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Aleshia Whitt.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-seventh legislative day and finds the same to be correct.

TOMMY CARTER,
Chairman.

On motion of Rep. Carter, the reading at length of the Journal of the House for the twenty-seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-seventh legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 928. Relating to Clarke County; providing further for the qualifications of the county superintendent of education.

Also:

H. 1028. Authorizing the Mobile County Commission to borrow money for general county purposes, and providing for the repayment thereof.

Also:

H. 899. To alter or rearrange the boundary lines of the City of Elba, Coffee County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Coffee County, Alabama.

Also:

H. 1105. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Leesburg, in Cherokee County, Alabama.

Also:

H. 912. To amend Section 11-43-40, Code of Alabama 1975, relating to the composition of city councils in cities having a population of 12,000 or more presently operating with five single-member districts as established under a Federal Court Order, so as to provide for a procedure to establish a council of not less than five nor more than eight aldermen to be elected from districts and a council president to be elected at large.

Also:

H. 972. Relating to Cleburne County and the position of license inspector; providing that the county license inspector shall be appointed by the county commission which shall determine whether such position shall be full-time or part-time; prescribing that the county commission shall set his duties and powers and compensation; and specifically repealing Act No. 79-482, H. 986, Regular Session 1979 (Acts 1979, p. 890), placing such powers and duties in the sheriff of the county; and repealing any laws or parts of laws in conflict herewith.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1030. Providing for the Judge of Probate to assess an additional surcharge at the rate of $10.00 per instrument for all documents submitted

for recordation in Probate Court which are subject to a deed or mortgage tax, and providing for these funds and any interest thereon, to be appropriated to the Mobile County General Fund on a monthly basis to be used for general county purposes.

Also:

H. 862. Relating to Clarke County; to change the method of compensating the judge of probate; to fix such compensation; to provide that fees, commissions, allowances, percentages and other charges heretofore collected for the use of the judge of probate shall be collected and paid into the general fund of the county and the salary paid from the said general fund; to make provision for a chief clerk and other personnel, quarters and supplies for the probate office; and to provide for an advisory referendum.

Also:

H. 1004. Relating to compensation of the Mobile County Treasurer; amending Section 1 of Act No. 80-338, H. 857, Regular Session 1980 (Acts 1980, p. 458) relating to compensation for such officer, so as to further provide therefor.

Also:

H. 863. Proposing an amendment to the Constitution of Alabama of 1901, relative to the fees and compensation of the judge of probate of Clarke County.

Also:

H. 952. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Butler, in Choctaw County.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1003. Relating to the City of Mobile in Mobile County; authorizing the governing body to approve and make lawful the sale of alcoholic beverages at retail within its corporate limits on Sunday after the hour of 2 A.M., except between the hours of 9 A.M. and 12 noon; authorizing said governing body to establish within its corporate limits the hours of sale of alcoholic beverages on Sunday after 2 A.M., except between 9 A.M. and 12 noon; and providing for the sale by retail licensees of the alcoholic beverage control board.

Also:

H. 1055. Relating to the Twenty-ninth Judicial Circuit, in Talladega County; providing further for the compensation of the district attorney.

Also:

H. 1071. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama

of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 2 (being all that part of the said county lying South and East of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama, and that portion of the unincorporated area of the county which is under the jurisdiction and control of the Tuscaloosa City Board of Education), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to $1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

Also:

H. 1072. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 1 (being all that part of the said county lying North and West of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to $1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

Also:

H. 1014. Relating to Covington County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as the county revenue commissioner; abolishing the offices of tax assessor and tax collector in said county; prescribing the duties and compensation of such commissioner; providing for a motor vehicle license division within the revenue commissioner's office; prescribing duties and procedures for such division; providing for an optional procedure for the renewal of motor vehicle licenses by mail; authorizing certain additional fees and costs pursuant to such system of renewal of motor vehicle licenses by mail; providing that this act shall become effective only if approved at a referendum election and providing for an effective date.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 549. To further provide for the regulation of horse racing and parimutuel wagering thereon; to amend Sections 11-65-2, 11-65-16, 11-65-19 and 11-65-22, Code of Alabama 1975, relating to the requirements that must be satisfied by any person applying for a license to own or operate a horse racing facility and any person holding or acquiring an interest in the holder of such an owner's or operator's license, so as to eliminate any requirement that any such person (or any director or officer thereof) must be or must have been for any specified period of time a resident of the State of Alabama

or must apply for permission to acquire an interest in the owner or operator and any limitation on the percentage of ownership that may be acquired in an owner or an operator by one person or family group; to provide that ownership of an interest in an owner or operator may not be held or acquired by a disqualified person and to allow a commission to require the disposition of the interest of any person in an owner or operator if such person is a disqualified person; to amend Section 11-65-10, Code of Alabama 1975, relating to the powers and duties of a racing commission; to amend Section 11-65-2, Code of Alabama 1975, to include a definition of a "disqualified person"; and to provide that the provisions of this act shall apply prospectively.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 858. Relating to Clarke County, Alabama; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the revenue commissioner, relieving the probate judge of such duties; repealing conflicting acts; and providing for an advisory referendum.

Also:

H. 1029. Relating to Mobile County; authorizing the county commission to levy a business or privilege fee on certain businesses.

Also:

H. 859. Relating to Clarke County; providing for the creation, appointment, powers and duties of a county license inspector; providing for delinquency and citation fees, commissions and penalties allowable to such inspector; and providing that all license inspector's fees, commissions and penalties be paid into the county general fund for the use of the county; providing for the county commission to set the compensation of such officer; and providing for an advisory referendum.

Also:

H. 888. Relating to the Assistant District Attorney of Crenshaw County and providing further for the compensation of such office and the authority of the Crenshaw County Commission to make certain increases in the compensation, from time to time, for such office; providing that the provisions of this act shall be retroactive to October 1, 1983.

Also:

H. 919. Relating to Randolph County and the levying and collecting of taxes; amending Section 3 of Act No. 85-466, H. 166, Regular Session 1985, which section relates to the office of revenue commissioner in Randolph County and the election therefor; amending Section 12 of said act, relating to the effectiveness of the referendum on the question of abolishing the local office of tax assessor and tax collector and establishing the office of revenue

commissioner; providing for the functioning of the office of revenue commissioner commencing October 1991, and the abolishment of the offices of the tax assessor and tax collector simultaneously; providing for the retroactive effect of this act to May 7, 1985; and amending Section 2 of said act so as to make a typographical correction.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1062. Relating to Dallas County; amending the title and section 1 of Act No. 415, H. 745, 1978 Regular Session (Acts 1978, p. 412) which act established the Dallas County Law Library Fund, so as to increase certain court costs to be paid to the said Law Library Fund.

Also:

H. 826. Relating to Cherokee County; to create a license-issuing division or office within the offices of the county courthouse for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and costs pursuant to such system of renewal of motor vehicle licenses by mail, such fees shall be set by the county commission, from time to time, to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting certain taxes, the issuance of licenses by such license-issuing division; to provide for the performance of certain duties heretofore performed by the tax collector, tax assessor and probate judge by said division in the office as designated by the county commission; to provide for certain compensation for any interim; and to provide for a referendum and the county commission passing a resolution; and to provide for the effective date of this act.

Also:

H. 1012. Relating to Bibb County; to authorize the West Alabama District Board of Health to designate the services rendered by the Bibb County Health Department for which a reasonable fee may be charged. The West Alabama District Board of Health is further required to set a maximum fee for each service. The Bibb County Health Department may charge and collect such fees. No citizen shall be deprived of any service because that person is unable to pay.

Also:

H. 860. To create the office of commissioner of licenses in Clarke County; to provide for the issuance of all licenses except marriage licenses; to prescribe the powers, duties and authority of the commissioner of licenses; to provide for the election of such commissioner, his term, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties and records of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution

of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officers of the duties so transferred; to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed; and to provide for an advisory referendum.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 996. To fix the fee for the issuance of pistol permits in Monroe County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

Also:

H. 997. To fix the fee for the issuance of pistol permits in Conecuh County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

Also:

H. 927. To alter or rearrange the boundary lines of the City of Opp, Covington County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Covington County, Alabama.

Also:

H. 961. Relating to Autauga County; approving and authorizing the Autauga County Commission to levy an increase of the countywide public school ad valorem tax presently being levied pursuant to Amendment No. 3 to the Constitution of Alabama of 1901 at the rate of three mills in Autauga County from the present millage to nineteen mills, all in accordance with Amendment No. 373 to the Alabama Constitution; such increased countywide ad valorem tax to be levied and collected by Autauga County for each year beginning with the levy for the tax year October 1, 1987 to September 30, 1988 (the tax for which year will be due and payable October 1, 1988) and ending with the levy for the tax year October 1, 2003 to September 30, 2004 (the tax for which year will be due and payable October 1, 2004) for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of Autauga County at a special election called and held in accordance with the laws governing special elections.

Also:

H. 929. Relating to Chambers County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for industrial development purposes and providing for a referendum.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. B. 93. To provide that a retired state policeman may accept employment with another state, city or county agency and continue to receive his retirement benefits but shall not receive additional retirement benefits for his new employment even though he contributes to the retirement systems.

TOMMY CARTER,
Chairman.

And the bill, H. 93 as engrossed, was ordered sent to the Senate.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Buskey (JL), the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 873.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Buskey (JL), Budget Isolation Resolution relating to H. B. 873, was adopted.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker, Black, Blake, Blakeney, Bowling, Breedlove, Brooks, Bryant, Buskey (JE), Butler, Campbell, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Frazier, Fuller, Gaston, Grayson, Grouby, Hamilton, Harvey, Haynes, Hettinger, Higginbotham, Hogan, Holley, Johnson (RG), Johnson (RW), Junkins, Kennedy, Kvalheim, Laird, Layson, Logan, Marks, McClain, McDowell, McMillan, Moon, Newman, Poole, Reed, Slaughter, Spratt, Turner, White (L), Williams, Willis, Wright and Zoghby.

—54

And the bill:

H. 873. Authorizing state supported institutions of higher learning to condemn lands needed for their educational purposes and providing that this act shall have certain supplemental effect.

Was taken up.

AMENDMENT OFFERED

Rep. Buskey (JL) offered the following amendment to the bill, H. 873:

AMEND H. 873 AS FOLLOWS:

On page 1, line 16, delete the words "state supported" and insert in lieu thereof the following word:

certain

On page 1, lines 21 and 22, delete the words "any state supported institution of higher learning" and insert in lieu thereof the following language:

any institution of higher learning created by legislative act or by the state constitution and whose governing boards' powers are derived by state statute or from the constitution

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 44; Nays 0.

Yeas:

Reps. Black, Blake, Blakeney, Brooks, Bryant, Buskey (JL), Butler, Campbell, Carter, Clark (W), Curry, Dillard, Faulk, Frazier, Fuller, Gaston, Grayson, Harper, Haynes, Hettinger, Higginbotham, Hogan, Holley, Johnson (RG), Johnson (RW), Kennedy, Kvalheim, Laird, Layson, Logan, Marks, McClain, McDowell, Moon, Newman, Rains, Reed, Slaughter, Spratt, White (L), Williams, Willis, Wright and Zoghby.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. B. 873. Authorizing certain institutions of higher learning to condemn lands needed for their educational purposes and providing that this act shall have certain supplemental effect.

As thus amended, was read a third time at length and passed, and ordered engrossed.

Yeas 52; Nays 3.

Yeas:

Mr. Speaker, Black, Blake, Breedlove, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Clark (W), Cosby, Curry, Dillard, Faulk, Fuller, Gaston, Grayson, Grouby, Hamilton, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hogan, Holley, Johnson (RG), Johnson (RW), Junkins, Kennedy, Kvalheim, Laird, Layson, Logan, Marks, McClain, McDowell, Mikell, Moon, Newman, Poole, Reed, Richardson, Slaughter, Spratt, Starkey, White (L), Williams, Willis and Zoghby.

—52

Nays: Reps. Freeman, Hall and Payne. —3

RULE SUSPENDED

On motion of Rep. Buskey (JL), Rule 6(1) was suspended to permit the bill, H. 873, being other than an advertised local bill, to be sent to the Senate.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1143.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1143, was adopted.

Yeas 58; Nays 5.

Yeas:

Mr. Speaker, Beers, Biddle, Black, Blakeney, Breedlove, Bryant, Burke, Buskey (JE), Butler, Campbell, Carter, Clark (W), Cosby, Crow, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Grouby, Harper, Harvey, Hettinger, Higginbotham, Hogan, Hooper, Johnson (RW), Junkins, Kennedy, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McKee, McMillan, Mikell, Moon, Penry, Perdue, Poole, Rains, Reed, Richardson, Starkey, Thomas, White (G), White (L), Williams, Willis and Zoghby.

—58

Nays: Reps. Blake, Grayson, Hall, McDowell and Payne. —5

And the bill:

H. 1143. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Shakespeare Festival for the fiscal year 1987-88 and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 3.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Black, Blakeney, Bowling, Breedlove, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Gray, Grouby, Harper, Harvey, Hettinger, Higginbotham, Hogan, Holley, Holmes, Hooper, Johnson (RW), Junkins, Kennedy, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McKee, McMillan, Melton, Mikell, Moon, Newman, Penry, Perdue, Poole, Rains, Reed, Richardson, Slaughter, Starkey, Thomas, Turnham, Walker, White (G), White (L), Williams, Willis, Wright and Zoghby.

—73

Nays: Reps. Blake, McDowell and Payne. —3

CO-SPONSOR ADDED

Rep. Hooper was added as co-sponsor to the bill, H. 1143.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1125.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1125, was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Brooks, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Kennedy, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Parker, Payne, Penry, Perdue, Poole, Rains, Reed, Richardson, Slaughter, Starkey, Thomas, Venable, Walker, Warren, White (G), White (L), Williams, Willis, Wright and Zoghby.

—80

And the bill:

H. 1125. To make an appropriation for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Breedlove, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Kennedy, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Parker, Payne, Penry, Perdue, Poole, Rains, Reed, Richardson, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, Warren, White (G), White (L), Williams, Willis, Wright and Zoghby.

—83

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1126.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1126, was adopted.

Yeas 83; Nays 1.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Bowling, Breedlove, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Fuller, Gaston, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McKee, McMillan, Melton, Mikell, Moon, Newman, Payne, Perdue, Poole, Rains, Reed, Richardson, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—83

Nay: Rep. Parker. —1

And the bill:

H. 1126. To make an appropriation from the Alabama Special Educational Trust Fund to the Eye Injury Register for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Bowling, Breedlove, Brooks, Bryant, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Fuller, Gaston, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McMillan, Melton, Mikell, Moon, Payne, Penry, Perdue, Poole, Rains, Reed, Richardson, Slaughter, Spratt, Starkey, Thomas, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—81

Nay: Rep. Parker. —1

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1127.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1127, was adopted.

Yeas 71; Nays 5.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JL), Butler, Campbell, Carothers,

Carter, Clark (W), Cosby, Crow, Dillard, Faulk, Ford, Frazier, Freeman, Fuller, Gaston, Grayson, Grouby, Hamilton, Harper, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Kvalheim, Layson, Lindsey, Marks, Mathis, McClain, McKee, McMillan, Melton, Mikell, Moon, Newman, Payne, Poole, Rains, Reed, Richardson, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, Warren, White (F), White (G), Willis, Wright and Zoghby.

—71

Nays: Reps. Drake, Gray, Hall, Harvey and Parker. —5

And the bill:

H. 1127. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the Network of Alabama Academic Libraries for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 4.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Ford, Frazier, Freeman, Gaston, Gray, Grayson, Grouby, Hamilton, Hammett, Harper, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Payne, Penry, Poole, Reed, Richardson, Seibels, Slaughter, Starkey, Thomas, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Willis, Wright and Zoghby.

—76

Nays: Reps. Hall, Harvey, Laird and Parker. —4

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1128.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1128, was adopted.

Yeas 73; Nays 4.

Yeas:

Mr. Speaker, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Frazier, Fuller, Gaston, Grouby, Hamilton, Hammett, Harper, Hettinger, Higginbotham, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird,

Layson, Lindsey, Logan, Marks, Mathis, McClain, McKee, McMillan, Melton, Mikell, Moon, Newman, Payne, Penry, Perdue, Poole, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Willis, Wright and Zoghby.

—73

Nays: Reps. Brooks, Grayson, Hall and Parker. —4

And the bill:

H. 1128. To make an appropriation from the Alabama Special Educational Trust Fund to the Davis Theater for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 6.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blakeney, Breedlove, Bryant, Burke, Buskey (JE), Buskey (JL), Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Dillard, Drake, Faulk, Flowers, Frazier, Freeman, Fuller, Gaston, Grouby, Hammett, Harper, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Payne, Penry, Perdue, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Thomas, Turner, Venable, Walker, White (G), White (L), Willis, Wright and Zoghby.

—73

Nays: Reps. Blake, Brooks, Grayson, Hall, Harvey and Parker. —6

CO-SPONSOR ADDED

Rep. Hooper was added as co-sponsor to the bill, H. 1128.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1129.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1129, was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Grayson, Grouby, Hamilton, Hammett, Harper, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight,

Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Payne, Perdue, Poole, Reed, Richardson, Seibels, Slaughter, Spratt, Thomas, Turner, Venable, Walker, White (G), White (L), Willis, Wright and Zoghby.

—80

And the bill:

H. 1129. (With Amendment): To make an appropriation from the Alabama Special Educational Trust Fund to the Coalition Against Domestic Violence and from the State General Fund to Parents Anonymous of Alabama for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill 1129 in the Synopsis on page 1, line 8, by striking therefrom the word "Domestice" and inserting in lieu thereof the following word:

Domestic

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Bowling, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Gaston, Grayson, Grouby, Hamilton, Hammett, Harper, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, Warren, White (G), White (L), Willis and Wright.

—83

And the bill, H. 1129 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Kennedy, Knight, Laird, Layson, Lindsey, Logan, Marks, Mathis, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne,

Perdue, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Thomas, Venable, Walker, Warren, White (G), White (L), Willis, Wright and Zoghby.

—77

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1130.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1130, was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JL), Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, White (G), White (L), Willis, Wright and Zoghby.

—82

And the bill:

H. 1130. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the Alabama Student Grant Program for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey,

Thomas, Turner, Turnham, Venable, Walker, White (G), White (L), Willis, Wright and Zoghby.

—86

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1131.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1131, was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Thomas, Turner, Turnham, Venable, Warren, White (G), White (L), Williams, Willis, Wright and Zoghby.

—80

And the bill:

H. 1131. To make an appropriation from the Alabama Special Educational Trust Fund to the Black Belt Human Resource Development Center for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—84

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1132.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1132, was adopted.

Yeas 77; Nays 3.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Britnell, Burke, Buskey (JE), Buskey (JL), Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Grouby, Hamilton, Hammett, Harper, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, Melton, Mikell, Moon, Newman, Payne, Perdue, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—77

Nays: Reps. Brooks, Grayson and Hall. —3

And the bill:

H. 1132. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Sports Festival for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 4.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Breedlove, Britnell, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Grouby, Hamilton, Hammett, Harper, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McMillan, Melton, Mikell, Moon, Newman, Payne, Perdue, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—76

Nays: Reps. Brooks, Grayson, Hall and Parker. —4

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1133.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1133, was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Grayson, Grouby, Hamilton, Hammett, Harper, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, White (F), White (G), White (L), Willis, Wright and Zoghby.

—79

And the bill:

H. 1133. To make an appropriation from the Alabama Special Educational Trust Fund to the American Legion and Auxiliary Scholarships for the fiscal year 1987-88 and to require an operations plan and audited financial statement prior to release of any funds.

Was taken up.

SUBSTITUTE OFFERED

Rep. Harper offered the following substitute to the bill, H. 1133:

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation from the Alabama Special Educational Trust Fund to the American Legion and Auxiliary Scholarships for the Fiscal Year 1987-88 pursuant to Sections 16-31-1 through 16-31-4, Code of Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the Fiscal Year 1987-88, there is hereby appropriated to the American Legion and Auxiliary Scholarships for the support and maintenance of said program from the Alabama Special Educational Trust Fund, the sum of Forty-Thousand Dollars ($40,000).

Section 2. This appropriation is made pursuant to Sections 16-31-1 through 16-31-4, Code of Alabama.

Section 3. This act shall become effective on October 1, 1987.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Buskey (JL), Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Gaston, Grayson,

Grouby, Hamilton, Hammett, Harper, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McMillan, Melton, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—79

And the bill:

H. 1133. To make an appropriation from the Alabama Special Educational Trust Fund to the American Legion and Auxiliary Scholarships for the Fiscal Year 1987-88 pursuant to Sections 16-31-1 through 16-31-4, Code of Alabama.

As thus amended, was read a third time at length and passed, and ordered engrossed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Fuller, Gaston, Grayson, Grouby, Hamilton, Hammett, Harper, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—85

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1134.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1134, was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Hettinger, Higginbotham, Hill, Hogan, Holley, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marks, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels,

Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—82

And the bill:

H. 1134. To make an appropriation from the Alabama Special Educational Trust Fund to the Children's Hospital in Birmingham, Alabama, for the fiscal year 1987-88 and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Buskey (JE), Buskey (JL), Butler, Campbell, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—87

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1135.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1135, was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Gray, Grayson, Grouby, Hamilton, Harper, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner,

Turnham, Venable, Walker, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—85

And the bill:

H. 1135. To make an appropriation from the Alabama Special Educational Trust Fund to the East Alabama Child Development Center for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Gray, Grayson, Grouby, Hamilton, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—88

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1136.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1136, was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Ford, Frazier, Freeman, Gaston, Gray, Grouby, Hall, Hamilton, Hammett, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Starkey, Thomas, Turner, Venable, Walker, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—78

And the bill:

H. 1136. To make an appropriation from the Alabama Special Educational Trust Fund to the DAR School, Kate Duncan Smith for the fiscal

year 1987-88 and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Bowling, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Ford, Frazier, Freeman, Fuller, Gaston, Gray, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—85

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1137.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1137, was adopted.

Yeas 72; Nays 1.

Yeas:

Mr. Speaker, Adams, Beers, Black, Blake, Blakeney, Britnell, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Ford, Frazier, Freeman, Gaston, Gray, Grouby, Hamilton, Hammett, Harper, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Marks, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, White (F), White (G), White (L), Willis and Zoghby.

—72

Nay: Rep. Parker. —1

And the bill:

H. 1137. To make an appropriation from the Alabama Special Educational Trust Fund to the Lighthouse Counseling Center, Inc., for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Bryant, Burke, Buskey (JL), Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Ford, Frazier, Freeman, Gaston, Grouby, Hamilton, Hammett, Harper, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, McClain, McDowell, McKee, McMillan, Melton, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, White (F), White (G), White (L), Willis, Wright and Zoghby.

—75

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1138.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1138, was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Black, Blake, Blakeney, Bowling, Breedlove, Britnell, Bryant, Burke, Buskey (JL), Campbell, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Ford, Frazier, Freeman, Fuller, Gaston, Grayson, Grouby, Hamilton, Hammett, Harper, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Marks, McClain, McDowell, McKee, McMillan, Melton, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Thomas, Turner, Venable, Walker, White (G), White (L), Willis, Wright and Zoghby.

—74

And the bill:

H. 1138. To make an appropriation from the Alabama Special Educational Trust Fund to the Opportunities Industrialization Center, Central Alabama for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Black, Blake, Blakeney, Bowling, Breedlove, Britnell, Bryant, Buskey (JE), Buskey (JL), Butler, Campbell, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Ford, Frazier, Freeman, Fuller, Gaston, Grayson, Grouby, Hamilton, Harper, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins,

Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Thomas, Turner, Venable, Walker, White (G), White (L), Williams, Willis and Zoghby.

—76

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1139.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1139, was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Bryant, Burke, Buskey (JL), Butler, Campbell, Carothers, Carter, Cosby, Crow, Curry, Dillard, Faulk, Ford, Frazier, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—81

And the bill:

H. 1139. To make an appropriation from the Alabama Special Educational Trust Fund and the State General Fund for the fiscal year 1987-88, for the use of a sickle cell education program, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Reps. Adams, Beers, Black, Blake, Blakeney, Bowling, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Butler, Campbell, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Ford, Frazier, Freeman, Fuller, Gaston, Gray, Grayson, Hall, Hamilton, Hammett, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, McClain, McDowell, McKee, McMillan, Melton, Moon, Newman, Payne, Perdue, Petelos, Poole, Rains, Reed,

Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Venable, Walker, White (L), Williams, Willis and Wright.

—72

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1140.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1140, was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blakeney, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Gray, Grayson, Grouby, Hamilton, Hammett, Harper, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marks, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Venable, Walker, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—79

And the bill:

H. 1140. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Breedlove, Britnell, Brooks, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Clark (W), Cosby, Crow, Curry, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Gray, Grayson, Grouby, Hamilton, Hammett, Harper, Hettinger, Higginbotham, Hill, Hogan, Holley, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, McClain, McDowell, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—77

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1141.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1141, was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Crow, Curry, Dillard, Faulk, Ford, Frazier, Freeman, Fuller, Gaston, Grouby, Hamilton, Hammett, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Thomas, Turner, Venable, Walker, White (F), White (G), White (L), Williams, Willis and Zoghby.

—73

And the bill:

H. 1141. To make an appropriation for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 1.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blakeney, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Crow, Curry, Dillard, Drake, Faulk, Ford, Frazier, Freeman, Fuller, Gaston, Hammett, Harper, Hettinger, Higginbotham, Hill, Hogan, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Seibels, Slaughter, Spratt, Thomas, Turner, Venable, Walker, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—73

Nay: Rep. Melton. —1

CO-SPONSOR ADDED

Rep. White (L) was added as co-sponsor to the bill, H. 1141.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1142.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1142, was adopted.

Yeas 68; Nays 1.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Britnell, Bryant, Burke, Buskey (JL), Campbell, Carothers, Carter, Cosby, Crow, Curry, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Grouby, Hamilton, Hammett, Harper, Hettinger, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, Melton, Mikell, Moon, Newman, Perdue, Petelos, Poole, Reed, Richardson, Seibels, Slaughter, Spratt, Thomas, Turner, Venable, Walker, White (F), White (G), Williams, Willis, Wright and Zoghby.

—68

Nay: Rep. Parker. —1

And the bill:

H. 1142. (With Amendment): To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Outdoor Drama for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill 1142 on page 1, in the Title in line 17, by striking therefrom the word "statment" and inserting in lieu thereof the word:

statement

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Bryant, Burke, Buskey (JL), Campbell, Carothers, Carter, Cosby, Crow, Curry, Dillard, Faulk, Ford, Frazier, Freeman, Gaston, Gray, Grouby, Hamilton, Hammett, Harper, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Thomas, Venable, Walker, White (G), White (L), Williams, Willis, Wright and Zoghby.

—75

And the bill:

H. 1142. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Outdoor Drama for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

As thus amended, was read a third time at length and passed, and ordered engrossed.

Yeas 78; Nays 1.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Breedlove, Britnell, Bryant, Burke, Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Ford, Frazier, Freeman, Gaston, Gray, Grouby, Hammett, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—78

Nay: Rep. Parker. —1

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1144.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to H. B. 1144, was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Bowling, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Buskey (JL), Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Gray, Grayson, Grouby, Hamilton, Hammett, Harper, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis and Zoghby.

—83

And the bill:

H. 1144. (With Amendment): To make appropriations from the Alabama Special Educational Trust Fund to the Alabama Small Business Development Consortium and the Alabama Small Business Procurement System for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill 1144 in the Title on page 1, line 20, by striking therefrom the word "sttement" and inserting in lieu thereof the following word:

statement

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Bowling, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Gray, Grayson, Grouby, Hamilton, Harper, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, White (F), White (G), White (L), Williams, Willis and Zoghby.

—83

And the bill:

H. 1144. To make appropriations from the Alabama Special Educational Trust Fund to the Alabama Small Business Development Consortium and the Alabama Small Business Procurement System for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

As thus amended, was read a third time at length and passed, and ordered engrossed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Black, Blake, Blakeney, Bowling, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Gray, Grayson, Grouby, Hamilton, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, White (F), White (L), Williams, Willis and Zoghby.

—80

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. B. 873. Authorizing certain institutions of higher learning to condemn lands needed for their educational purposes and providing that this act shall have certain supplemental effect.

TOMMY CARTER,
Chairman.

And the bill, H. 873 as engrossed, was ordered sent to the Senate.

RULES SUSPENDED

On motion of Rep. Harper, the rules were suspended in order to transmit all House bills up to this point to the Senate.

BILLS ON SECOND READING

Rep. Harper, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 253. Proposing an amendment to the Constitution of Alabama 1901, providing that all of the assets, proceeds or income of the Teachers', Employees', State Police, Public and Judicial Retirement Systems, or any successor systems thereto, and all contributions and payments made to such systems to provide for retirement and related benefits thereunder, shall be held, invested as authorized by law, or disbursed as in trust for the exclusive purpose of providing for such benefits, refunds and administrative expenses under the management of the boards of control of the aforementioned systems; and providing that none of such assets, proceeds, income, contributions or payments shall be used, loaned, encumbered or diverted to or for any other purpose whatsoever.

The above bill was read a second time at length as required by the Constitution.

S. 453. To create the Alabama Family Medical Catastrophe Fund; to create the Alabama Family Medical Catastrophe Fund Board to administer said fund; to provide for the said board's composition, powers, duty and authority; to provide for funding; to provide for income tax refund checkoff donations on state income tax forms with the funds earmarked for the Alabama Family Medical Catastrophe Fund; to provide for the creation of the Alabama Family Medical Practice Fund in the state treasury; and to provide that monies in said fund shall not revert to the general fund but shall be encumbered and carried forward into each succeeding state fiscal year.

S. 176. To amend Sections 25-8-4, 25-8-8, and 25-8-16, Code of Alabama 1975, so as to bring Alabama's Child Labor statutes into agreement with existing Federal regulations pertaining to working hours of children under age sixteen and establishes additional specific working hours for certain children enrolled in school and also provides for exemptions to established work hours.

S. 252. To provide for the establishment of a working capital fund from which to pay claims against the State Highway Department's self-insurance program (provided for in Section 23-1-41, Code of Alabama 1975, as amended), in the event that the Director of the Highway Department with the approval of the Governor elects to administer this program with Highway Department

personnel. Also, to provide procedures for the establishment and operation of said working capital fund.

S. 426. To amend Section 40-18-27, Code of Alabama 1975, relating to income tax returns, so as to extend to an innocent spouse who signs a joint return without knowledge of all entries the same limited liability as granted for federal income tax purposes.

Rep. Richardson, Chairman of the Standing Committee on Agriculture, Forestry and Natural Resources, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 46. To establish an official state nongame wildlife print or wildlife stamp; to provide for funding of the program establishing the print or stamp and to provide that the program shall be administered by the Department of Conservation and Natural Resources.

Rep. Venable, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 250. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901, as amended; providing that no law whose purpose or effect is to provide for a new or increased expenditure of county funds held or disbursed by the county governing body shall become effective as to any county of this state until the first day of the fiscal year next following the passage of such law unless such law is approved by a resolution duly adopted by and spread upon the minutes of the county governing body of the county affected thereby, or such law (or other law or laws which specifically refer to such law) provides the respective county governing bodies with new or additional revenues sufficient to fund such new or increased expenditures; providing for an election thereon; and prescribing an effective date for the proposed amendment.

The above bill was read a second time at length as required by the Constitution.

Rep. Hettinger, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 276. To amend Section 11-45-8, Code of Alabama 1975, to include other like codes with those codes listed which may be adopted by ordinance and by reference under the authority and procedures of said section.

Rep. Marietta, Chairman of the Standing Committee on Oil and Gas, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 300. To amend Section 9-17-6, Code of Alabama 1975, which relates to the state oil and gas board, so as to authorize the board to regulate enhanced recovery methods, including Class II injection wells; and to delegate power and authority to a hearing officer; to amend Section 9-17-24, Code of Alabama 1975, which provides for notification and filing fees prior to

drilling wells, so as to authorize the board to collect filing fees and application fees, to establish the Alabama State Oil and Gas Board special fund, and to provide that well permit fees, filing fees and application fees shall be paid into the State Oil and Gas Board Special Fund.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 349. (With Amendment): To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores, in Baldwin County.

Rep. Marietta, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 447. Relating to Mobile County; to amend Act No. 751, S. 599, 1967 Regular Session, as amended, which provides for funds from the general funds of the several incorporated municipalities in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, so as to provide further for said funding.

S. 448. Relating to Mobile County; to amend Act No. 544, S. 602, 1967 Regular Session, as amended, which provides for funds from the general fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, so as to provide further for said funding.

Rep. Hall, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 305. (With Amendment): Relating to the Twenty-third Judicial Circuit consisting of Madison County; to amend section 3 of Act No. 80-485, H. 859, Regular Session 1980 (Acts 1980, p. 755), which provides for the collection of additional court costs, so as to increase the amount of such costs to defray the expense of jury and witness parking.

Rep. McKee, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 606. Relating to Montgomery County; providing further for the compensation of the judge of probate.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Reps. Seibels, White (G), and Petelos:

H. 1146. To amend Section 40-23-4.1 of the Code of Alabama 1975, relating to the exemption of certain prescribed drugs from sales tax, so as

to provide further for such exemption of certain prescribed medical supplies and equipment.

Committee on Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Reps. Johnson (RG) and Haynes:

H. J. R. 458. CREATING THE INTERIM TALLADEGA COUNTY GOVERNMENTAL STUDY COMMITTEE AND SUBCOMMITTEE FOR BETTER GOVERNMENT.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created the Interim Talladega County Governmental Study Committee and Subcommittee for Better Government for the purpose of determining how to operate county government more efficiently and economically. The Interim Talladega County Governmental Study Committee shall be composed of the three members of the Talladega County Legislative Delegation. The members of the Talladega County Governmental Study Subcommittee shall be appointed by the three members of the said Governmental Study Committee as follows: Each member of the House of Representatives shall appoint four citizens of Talladega County and the Senator from Talladega County shall appoint seven citizens from Talladega County for a total of 15 members of said subcommittee. A temporary chairman of the Governmental Subcommittee shall be appointed by the Study Committee to preside over the first meeting for the election of officers. Vacancies shall be filled by the original appointing authority. The said Study Committee and Subcommittee are authorized and empowered to investigate and to gather information, analyze and study such information, to make recommendations, suggest and propose measures to be taken for the sake of efficiency and economy in government. The Interim Talladega County Governmental Study Committee and Subcommittee for Better Government shall have subpoena powers to subpoena any documents, financial records and witnesses necessary to carry out the intent of the Legislature.

BE IT FURTHER RESOLVED, The Governmental Study Subcommittee shall meet on the first and third Thursday of each month at 7:00 p.m. and serve as the primary information gathering committee. The financial and other data and information pertaining to county government gathered by said subcommittee shall be examined and analyzed by the subcommittee. Areas of county government and county finances to be examined shall include without limitation the following:

(1) The problems of the Talladega County jail and whether or not to build a new facility;

(2) Industrial Development for additional jobs in the county;

(3) The operation of the Talladega County Government and how to make it more efficient and economically sound;

(4) Compensation of Talladega County elected officials;

(5) The tax structure and debt structure of Talladega County;

(6) The type of Government that would best serve the people of Talladega County, such as part-time versus full-time officials among other considerations.

BE IT FURTHER RESOLVED, That the Interim Talladega County Governmental Study Committee for Better Government shall meet no later than August 5, 1987, and appoint a chairman, vice-chairman and a secretary-treasurer. The secretary shall record all official actions of all meetings and make the same available to the public at an appropriate place in the courthouse or otherwise.

BE IT FURTHER RESOLVED, That the members of the Talladega County Governmental Study Subcommittee for Better Government shall be appointed by August 10, 1987, and that each appointing authority shall file with the chief clerk of the Talladega County Probate Office the name, address and telephone number of his or her appointee no later than August 10, 1987. An organizational meeting of said subcommittee shall be held at the county courthouse at 7:00 p.m., August 20, 1987, for the purpose of electing a chairman, vice-chairman, secretary and a treasurer and such other officers as the Study Subcommittee deems necessary. The secretary shall record all official actions of all meetings and make the same available to the public at an appropriate place in the courthouse or otherwise. At the initial meeting, no official actions shall be taken except elections and a time fixed for the next meeting. Every effort shall be made to publicize all meetings of the Study Subcommittee and all meetings shall be open to the public.

RESOLVED FURTHER, That Study Committee and Subcommittee members shall serve without pay or expenses and no county funds other than for clerical assistance and supplies shall be expended, but the county commission may provide clerical assistance and supplies when requested by the Study Committee or Subcommittee chairman; provided, however, the Study Committee and Subcommittee may accept contributions and expend same by majority vote of a quorum of the committee or subcommittee, with both the chairman and treasurer endorsing checks. A quorum for transacting any official business shall be one more than half the number serving.

BE IT FURTHER RESOLVED, That the Study Subcommittee shall report its findings, conclusions and recommendations to the Talladega County governing body and to the Interim Talladega County Governmental Study Committee for Better Government composed of the Talladega County Legislative Delegation no later than January 15, 1988, at which time the Interim Talladega County Governmental Study Committee and Subcommittee shall be dissolved.

BE IT FURTHER RESOLVED, That copies of this resolution shall be sent to each member of the Talladega County Commission, each member of the Talladega County Board of Education, and to all incorporated cities and municipalities of Talladega County.

On motion of Rep. Johnson (RG), the rules were suspended and the resolution, H. J. R. 458, was adopted.

Also:

By Rep. Payne:

H. J. R. 459. COMMENDING TONYA HELM OF CENTER POINT, ALABAMA, AS ONE OF OUR STATE'S MOST ACCOMPLISHED HIGH SCHOOL ATHLETES.

WHEREAS, the Legislature of Alabama expresses highest esteem of Tonya Helm, Birmingham, Alabama, as one of our state's most outstanding high school athletes, having been named Most Valuable Player at E. B.

Erwin High School in the three sports of volleyball, basketball and tennis; and

WHEREAS, among other of her numerous achievements, Miss Helm was named Most Valuable Player in Area 10 basketball and was named, in 1986-1987, to the All Metro, All State and All County Basketball Teams; and

WHEREAS, she also started a total of 71 games as point guard, was All County Tournament three years, and scored over 1,000 points during her basketball career; and

WHEREAS, Tonya Helm has further distinguished herself as second in the state in tennis doubles, and she is the recipient of a tennis scholarship to the University of Alabama in Birmingham; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Tonya Helm of Birmingham, Alabama, for outstanding athletic achievement and do further direct that Miss Helm receive a copy of this resolution that she may know of our sincere personal regard and of our best wishes for every future success in life.

On motion of Rep. Payne, the rules were suspended and the resolution, H. J. R. 459, was adopted.

Also:

By Reps. Penry and Flowers:

H. J. R. 460. RECOGNIZING WITH COMMENDATION, THE 100TH ANNIVERSARY OF THE BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES.

WHEREAS, throughout the history of this great nation of ours, the major role that railroads played in its development is clearly recorded; and

WHEREAS, railroads symbolize progress, and out of such progress emerged one of the greatest industrial societies the world has ever known; and

WHEREAS, the men who devoted their skills and their strength in building and maintaining the track, bridge and structures of the American railroads must take their place as the true pioneers of that progress; and

WHEREAS, these men who were native Americans, those of Spanish descent, or immigrants from the British Isles, Italy, Ireland, China, and many lands, were required to endure many hardships; and

WHEREAS, out of necessity, one hundred years ago in the Spring of 1887, a small group of section foremen who envisioned a better way of life for the people working on American railroads, gathered on a riverbank in Demopolis, Alabama, and conceived a fraternal society that would be chartered under Alabama law as the Order of Railway Trackmen; and

WHEREAS, in the years that followed, its obligations became those of a labor organization, although fraternalism remains to this day one of its basic principles; and

WHEREAS, meeting the challenges of growth and progress in the years following 1887, there were amalgamations with other similar organizations

of railway workers, and affiliation with its Canadian brothers resulted in its emergence as an international union, the Brotherhood of Maintenance of Way Employes; and

WHEREAS, the Brotherhood of Maintenance of Way Employes, as the organization is now known, has for a century embodied the principles and ideals of true trade unionism; and

WHEREAS, that union has continued to build on the century of achievement by standing firmly behind its membership at times when rail industry has undergone drastic changes; and

WHEREAS, the union and its leadership stand ready for the challenge of the future awaiting the organization in its second century; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby duly recognize the significant accomplishments of the Brotherhood of Maintenance of Way Employes as they celebrate their 100th Anniversary.

BE IT FURTHER RESOLVED, That we extend official best wishes to the Brotherhood of Maintenance of Way Employes for continued growth and progress built upon the foundations that have been formulated throughout the last tested and proven century.

On motion of Rep. Flowers, the rules were suspended and the resolution, H. J. R. 460, was adopted.

Also:

By Reps. Ford, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 461. HONORING THE 276TH ENGINEER COMBAT BATTALION FOR MERITORIOUS SERVICE TO OUR NATION.

WHEREAS, the Legislature has noted that on August 14-15, 1987 the members of the 276th Engineer Combat Battalion will unite in camaraderie and in memory of comrades gone, in Joe Wheeler State Park, Rogersville, Alabama; and

WHEREAS, this extraordinary combat unit of World War II received a Presidential Citation; outstanding unity and action for the period of 9 March, 1945 and 17 March, 1945 for repairing and maintaining the famous Bridge of Remagen, which action was directly linked to the speedy and victorious end of the war; and

WHEREAS, the 276th Engineer Combat Battalion, in meritorious service to our nation, earned three battle stars; the first for the "Battle of the

Ardennes," the second for the "Battle of the Rhineland" and the third star for the "Battle of Central Germany"; and

WHEREAS, these brave and courageous men who served and sacrificed on our behalf have indeed the gratitude of our state's leaders and of all Alabamians; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we stand in tribute to the courage of the members of the 276th Engineer Combat Battalion, and voice our endless gratitude for their instrumental role in helping to preserve the freedom of our nation and our state.

BE IT FURTHER RESOLVED, That a copy of this resolution be provided for presentation at the forthcoming reunion of the 276th Engineer Combat Battalion in Rogersville, Alabama.

RESOLVED FURTHER, That Charles M. Black of Athens, Alabama and Sergeant Hansel B. Payne of Trussville, Alabama, both of Company B, are forthwith charged with delivery of said resolution for presentation during the reunion of the Battalion.

On motion of Rep. Ford, the rules were suspended and the resolution, H. J. R. 461, was adopted.

Also:

By Rep. Burke:

H. J. R. 462. MOURNING THE DEATH OF HOYT DONALD NEWSOME OF SYLVANIA, ALABAMA.

WHEREAS, in sense of sorrow and deep regret, the Alabama Legislature records the untimely death of Hoyt Donald Newsome of Sylvania, Alabama, at the age of just 59 years; and

WHEREAS, a native of the Sylvania area in DeKalb County, Mr. Newsome was a former fire chief for the Town of Sylvania for a period of three years, and served as mayor for three terms from 1975-1984; and

WHEREAS, in distinguished public service as mayor of Sylvania, he was instrumental in the construction of a new fire hall and an industrial park, and in the establishment of a town park, among other projects and programs of great benefit to his fellow citizens; and

WHEREAS, also a farmer and a successful businessman, Mr. Newsome was a staunch supporter of many civic and charitable endeavors, and he had been an active member of the Oak Grove Church since 1980; and

WHEREAS, the death of Hoyt Donald Newsome has indeed left a deep void in the life of his community and in the hearts of those he served so well, not only in municipal leadership, but as a compassionate humanitarian and benefactor to his fellow man, sharing with others through donations of goods and services and the fruits of his success; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Hoyt Donald Newsome of Sylvania, Alabama, and extend deepest sympathy to his wife, Mrs. Louise Newsome, his son and daughters; to his mother, Mrs. Lucille Newsome; and to other family members, with whom we grieve and for whom a copy of this resolution shall be provided.

On motion of Rep. Burke, the rules were suspended and the resolution, H. J. R. 462, was adopted.

Also:

The following resolutions were introduced and distributed according to Joint Rule 11:

By Reps. Rains and Moon:

H. R. 463. COMMENDING LOU ANN RAINS, SECRETARY OF KAPPA DELTA EPSILON NATIONAL EDUCATION HONOR SOCIETY AT THE UNIVERSITY OF ALABAMA.

Also:

By Rep. Rains:

H. R. 464. COMMENDING W. BRIGGS PATTERSON OF ALBERTVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

By Rep. Rains:

H. R. 465. COMMENDING DEWEY DRAIN FOR DISTINGUISHED SERVICE TO THE PUBLIC SCHOOLS AND TO THE MARSHALL COUNTY BOARD OF EDUCATION.

Also:

The following resolutions were introduced:

By Reps. Rains and Moon:

H. J. R. 466. COMMENDING DEWEY DRAIN FOR DISTINGUISHED SERVICE TO THE PUBLIC SCHOOLS AND TO THE MARSHALL COUNTY BOARD OF EDUCATION.

WHEREAS, the Alabama Legislature notes with commendation and esteem the distinguished service rendered by Dewey Drain to the public schools in Alabama and to the Marshall County Board of Education, from 1954 until his retirement in June 1987; and

WHEREAS, a graduate of Jacksonville University, Mr. Drain served successively as coach and principal at Tenbroeck Elementary and Junior High School, as science teacher at Childersburg, as principal at Sweargin Elementary School, and as social studies teacher and counselor at Guntersville High School; and

WHEREAS, in 1967, Mr. Drain joined the staff of the Marshall County Board of Education as supervisor, media education coordinator, and as supervisor of attendance/truant officer; in January 1987 he became an administrative assistant, in which capacity he served until retirement; and

WHEREAS, Dewey Drain, in addition to the responsibilities of his employment, also has served the community through activities of the Civitan as a past governor, past international director of education, sergeant at arms of Civitan International, and is the recipient of the Civitan's International Honor Key; and

WHEREAS, he further is a Mason, and has held the position of Post 8 Legionnaire's Command Post and Commander of 13th District; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of distinguished service to the public schools in Alabama and to the Marshall County Board of Education, we hereby commend Mr. Dewey Drain, whom we hold in highest regard and for whom a copy of this resolution shall be provided.

On motion of Rep. Rains, the rules were suspended and the resolution, H. J. R. 466, was adopted.

Also:

By Rep. Holmes:

H. J. R. 467. COMMENDING THE HONORABLE IRVING J. STOLBERG OF CONNECTICUT.

WHEREAS, a member of the Connecticut House of Representatives since 1971, the Honorable Irving J. Stolberg was elected Speaker of the House in January 1987; he further has served as Minority Leader, and on all major committees of the General Assembly; and

WHEREAS, he is a past chairman of the Caucus of New England State Legislatures, a member of the Executive Committee of the Council of State Governments, and currently serves as president of the National Conference of State Legislatures; and

WHEREAS, we also note with commendation Mr. Stolberg's efforts in assisting the National Black Caucus in the successful passage of its resolution relative to sanctions against South Africa; and

WHEREAS, it is to Mr. Stolberg's credit, as well, that for the first time ever in the history of N.C.S.L. a major Black political and religious leader, the Reverend Jesse Jackson, will address the conference; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend the Honorable Irving J. Stolberg of Connecticut for his fair and impartial treatment of all state legislators regardless of race, creed, color or national origin.

BE IT FURTHER RESOLVED, That in token of our sincere admiration and esteem, a copy of this resolution shall be presented to Mr. Irving Stolberg.

On motion of Rep. Holmes, the rules were suspended and the resolution, H. J. R. 467, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. B. 1133. To make an appropriation from the Alabama Special Educational Trust Fund to the American Legion and Auxiliary Scholarships

WHEREAS, Coach Cottrell served as assistant coach and administrative assistant to Athletic Director, defensive and wide receiver coach and head coach during various periods from 1980 at T. R. Miller High School, Brewton, Alabama; Troy State University; Kinston High School, Kinston, Alabama; and from 1985 through the present, he has been head football coach at Flomaton High School, Flomaton, Alabama; and

WHEREAS, while at Flomaton High School, Coach Ronnie Cottrell led the school to its first area championship in the school's history and to its best winning season since 1979, and the only undefeated team in the school's history; and

WHEREAS, the hard work and diligent preparation of his students inspired by his devotion and athletic expertise captured the Class 2A Area 2 Championship in 1985, the school's first area championship, ranked in the top ten of Class 2A, had two All-State players, and achieved many other records for Flomaton High School; and

WHEREAS, Ronnie Cottrell has molded outstanding young men on and off the football field with his high ideals, dedication and zeal and many of his players, throughout his career have been designated All-Stars and All-State; and

WHEREAS, Coach Ronnie Cottrell has been a leader in the development of the whole athlete, and has chartered Fellowship of Christian Athletes Group, and has been honored as Coach of the Year; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Ronnie Cottrell, Coach of Flomaton High School Football Team on his outstanding football coaching career and in particular on his many career achievements during the 1985 championship season.

RESOLVED FURTHER, That a copy of this resolution shall be forwarded to Coach Ronnie Cottrell so that he may know of our esteem, and also a copy to Principal Kenneth Corbin for appropriate school display.

On motion of Rep. White (F), the rules were suspended and the resolution, H. J. R. 468, was adopted.

Also:

By Rep. Seibels:

H. J. R. 469. EXPRESSING LEGISLATIVE INTENT AND PUBLIC POLICY WITH RESPECT TO FEDERAL AND STATE CONTROLS ON THE ATTAINMENT OF OZONE AIR QUALITY STANDARDS.

WHEREAS, in order to make significant progress toward attaining the ozone air quality standard by year-end 1987—as required under the Clean Air Act—many states, including Alabama, may attempt to control gasoline vapors emitted at service stations; and

WHEREAS, the U.S. Environmental Protection Agency has published a document analyzing several control strategies that make use of two alternative technologies: an improved carbon canister system onboard vehicles and special equipment on service station pumps—the "Stage II" system; and

WHEREAS, the states have an important role in this regulatory debate because the nature and type of controls adopted will have a direct impact on the air quality, motorists and economy of every state affected; and

for the Fiscal Year 1987-88 pursuant to Sections 16-31-1 through 16-31-4, Code of Alabama.

TOMMY CARTER,
Chairman.

And the bill, H. 1133 as engrossed, was ordered sent to the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. B. 1142. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Outdoor Drama for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

TOMMY CARTER,
Chairman.

And the bill, H. 1142 as engrossed, was ordered sent to the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. B. 1144. To make appropriations from the Alabama Special Educational Trust Fund to the Alabama Small Business Development Consortium and the Alabama Small Business Procurement System for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

TOMMY CARTER,
Chairman.

And the bill, H. 1144 as engrossed, was ordered sent to the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Rep. White (F):

H. J. R. 468. COMMENDING RONNIE COTTRELL, FOOTBALL COACH OF FLOMATON HIGH SCHOOL, ON HIS OUTSTANDING COACHING CAREER.

WHEREAS, the Alabama Legislature notes the outstanding career of Coach Ronnie Cottrell, 2A High School Coach, Flomaton High School, and his outstanding coaching achievements; and

WHEREAS, Alabama, along with other states, has filed its State Implementation Plan (SIP) for the attainment of the ozone standard; and

WHEREAS, gasoline dispensing pump controls have been shown to be less efficient in recovering vapors than onboard controls; and

WHEREAS, gasoline pump controls would be more expensive, costing the nation much more than an onboard system and forcing the closing of many gasoline stations nationwide because of the costs; and

WHEREAS, gasoline pump controls would capture only refueling vapors and not those emitted as a result of vehicle operation; and

WHEREAS, gasoline pump controls are difficult for consumers to operate many times resulting in the spilling of gasoline during filling; and

WHEREAS, onboard controls would be more efficient, cost effective and easier to implement and could be checked during regular automobile inspections, while the enforcement of Stage II would be costly and burdensome, with much of the enforcement burden—including the financial burden—falling on the states; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the legislative intent and public policy of the State of Alabama is that the U.S. Environmental Protection Agency, if it deems that further gasoline vapor controls are required, to mandate a nationwide system of vehicle onboard controls as the more efficient, economical, consumer oriented and practical solution.

BE IT FURTHER RESOLVED, That with this decision states such as Alabama should be given credit for additional progress toward attainment of the ozone standard, especially for existing methods that control emissions and for improved maintenance programs, in order to avoid redundant and unreasonable state implementation of Stage II controls.

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to Mr. Lee Thomas of the U.S. Environmental Protection Agency, Mr. Leigh Pegues of the Alabama Department of Environmental Management and to each member of Alabama's Congressional Delegation to the U.S. House of Representatives and U.S. Senate.

On motion of Rep. Seibels, the rules were suspended and the resolution, H. J. R. 469, was adopted.

Also:

By Rules Committee:

H. R. 470. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That immediately upon the adoption of this resolution, the following business, in the order named, be made the special and paramount order of business for the 28th Legislative Day, Thursday, July 16, 1987, taking precedence over the regular order of business or any pending or unfinished business:

Inst Id	Page
S. 417—By Smith (B)	69
Gross income, definition of to exclude cert. federally deferred income plans, Sec. 40-18-14 am'd.	
S. 319—By Holmes	93
Worthless checks, finance charge, alt., Sec. 12-17-224	

S. 296—By Barron 125

Teachers' Retirement System, cert. employees of st. jr. colleges, auth. to purchase prior service credit

S. 318—By Holmes 144

Fireworks, reg. Secs. 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, 8-17-226 am'd.

S. 147—By Goodwin 175

Motor vehicles, seat belt use req., penalties

S. 61—By Menton (As Amended) 77

Nighttime search warrants, conditions of issuance reg., Secs. 15-5-8 and 15-5-12 repealed

S. 56—By Holmes 106

Drugs, sales or use in schools or educational facilities prohib., add'l. penalties

S. 125—By Cabaniss (As Amended) 92

Drugs unlawfully sold, excise tax imposed, Section 40-23-2, and 40-23-35, amended

S. 133—By Hilliard 94

The Drug Predator Control Act of 1987 created; Crime of criminal solicitation to commit controlled sub. crime, attempt or conspiracy defined

S. 84—By Smith (J) (As Amended) 95

Drugs, controlled substances offenses, seizure and forfeiture of property regulated, section 20-2-93 amended

S. 251—By Sanders (As Amended) 107

Crime of rape, exempt. of spouse from def. removed, Sec. 13A-6-60 am'd.

S. 207—By Menton 101

Certificate of qualification for license to practice medicine issued to commissioned officer of medical corps, Section 34-24-75 amended

S. 490—By Bedford 171

Plumbers Examining Bd., authority expanded to conduct statewide testing

S. 107—By Holmes 114

Aeronautics Dept., power of eminent domain around airports auth.

S. 131—By Bennett 80

School trustees, Co., appointed by County board of ed., Sec. 16-10-1 am'd.

S. 227—By Dial 120

Board of examiners for psychology, fees incr., Secs. 34-26-22, 34-26-43, 34-26-43.1 am'd.

S. 233—By Amari (As Substituted) 108

Not-for-profit corporations that are exempt from income taxation, civil immunity for officers and trustees

S. 140—By Manley 128

Food stamps, illegal possession of, criminal offense, penalties

S. 178—By Bailey 73

Retirement Systems, restoration of previous service credit reg., Sec. 16-25-11, 36-27-11 am'd.

S. 242—By deGraffenried 125

State troopers, retirement alt.

S. 485—By Denton 126

Alabama Music Hall of Fame Bd., auth. to issue bonds, Sec. 41-9-682 am'd.

S. 486—By Denton 127

Alabama Music Hall of Fame Board, auth. to issue bonds, const. amend.

S. 477—By Bedford 107

Alabama Manufactured Housing Commission Recovery Fund, estab., for consumer appeal and compensation

S. 478—By Bedford 131

Manufactured housing commission, duties, functions, admin., Sec. 24-6-3, 24-6-4 am'd.

S. 73—By Smith (J) 112

Teacher units further provided for, number of students in state funded classrooms in public schools

S. 565—By deGraffenried 142

Unemployment Trust Fund, approp. from, to purchase land, buildings for the admin. of unemployment comp. and employment services programs of Industrial Relations Dept.

S. 294—By Bedsole 163

Annual state "big game (deer and turkey) stamp"; required

S. 499—By Goodwin 135

Law enforcement officers, survivors to receive badge, officers disabled in line of duty to receive badge

S. 55—By Cabaniss (As Substituted) 109

Men's Hall of Fame, estab.

S. 515—By Rice 174

Human Resources Dept., family group homes established as type of child day care, Sec. 38-27-2 amended

Uncontested Local Bills.

SUBSTITUTE OFFERED

Rep. Drake offered the following substitute to the resolution, H. R. 470:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That immediately upon the adoption of this resolution, the following business, in the order named, be made the special and paramount order of business for the 28th Legislative Day, Thursday, July 16, 1987, taking precedence over the regular order of business or any pending or unfinished business:

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Worthless checks, finance charge, alt., Sec. 12-17-224

S. 296—By Barron 125

Teachers' Retirement System, cert. employees of st. jr. colleges, auth. to purchase prior service credit

S. 318—By Holmes 144

Fireworks, reg. Secs. 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, 8-17-226 am'd.

S. 147—By Goodwin 175

Motor vehicles, seat belt use req., penalties

S. 61—By Menton (As Amended) 77

Nighttime search warrants, conditions of issuance reg., Secs. 15-5-8 and 15-5-12 repealed

S. 56—By Holmes 106

Drugs, sales or use in schools or educational facilities prohib., add'l. penalties

S. 125—By Cabaniss (As Amended) 92

Drugs unlawfully sold, excise tax imposed, Section 40-23-2, and 40-23-35, amended

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Crime of rape, exempt. of spouse from def. removed, Sec. 13A-6-60 am'd.

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Certificate of qualification for license to practice medicine issued to commissioned officer of medical corps, Section 34-24-75 amended

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Plumbers Examining Bd., authority expanded to conduct statewide testing

S. 107—By Holmes 114

Aeronautics Dept., power of eminent domain around airports auth.

S. 131—By Bennett 80

School trustees, Co., appointed by County board of ed., Sec. 16-10-1 am'd.

S. 227—By Dial 120

Board of examiners for psychology, fees incr., Secs. 34-26-22, 34-26-43, 34-26-43.1 am'd.

S. 233—By Amari (As Substituted) 108

Not-for-profit corporations that are exempt from income taxation, civil immunity for officers and trustees

S. 140—By Manley 128

Food stamps, illegal possession of, criminal offense, penalties

S. 178—By Bailey 73

Retirement Systems, restoration of previous service credit reg., Sec. 16-25-11, 36-27-11 am'd.

S. 242—By deGraffenried 125

State troopers, retirement alt.

S. 485—By Denton 126

Alabama Music Hall of Fame Bd., auth. to issue bonds, Sec. 41-9-682 am'd.

S. 486—By Denton 127

Alabama Music Hall of Fame Board, auth. to issue bonds, const. amend.

S. 477—By Bedford 107

Alabama Manufactured Housing Commission Recovery Fund, estab., for consumer appeal and compensation

S. 478—By Bedford 131

Manufactured housing commission, duties, functions, admin., Sec. 24-6-3, 24-6-4 am'd.

S. 73—By Smith (J) 112

Teacher units further provided for, number of students in state funded classrooms in public schools

S. 565—By deGraffenried 142

Unemployment Trust Fund, approp. from, to purchase land, buildings for the admin. of unemployment comp. and employment services programs of Industrial Relations Dept.

S. 499—By Goodwin 135

Law enforcement officers, survivors to receive badge, officers disabled in line of duty to receive badge

S. 55—By Cabaniss (As Substituted) 109

Men's Hall of Fame, estab.

S. 515—By Rice 174

Human Resources Dept., family group homes established as type of child day care, Sec. 38-27-2 amended

Uncontested Local Bills.

SUBSTITUTE TO SUBSTITUTE OFFERED

Rep. Butler offered the following substitute to the substitute offered by Rep. Drake to the resolution, H. R. 470:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That immediately upon the adoption of this resolution, the following business, in the order named, be made the special and paramount order of business for the 28th Legislative Day, Thursday, July 16, 1987, taking precedence over the regular order of business or any pending or unfinished business:

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S. 318—By Holmes 144

Fireworks, reg. Secs. 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, 8-17-226 am'd.

S. 147—By Goodwin 175

Motor vehicles, seat belt use req., penalties

S. 61—By Menton (As Amended) 77

Nighttime search warrants, conditions of issuance reg., Secs. 15-5-8 and 15-5-12 repealed

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Certificate of qualification for license to practice medicine issued to commissioned officer of medical corps, Section 34-24-75 amended

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School trustees, Co., appointed by County board of ed., Sec. 16-10-1 am'd.

S. 227—By Dial 120

Board of examiners for psychology, fees incr., Secs. 34-26-22, 34-26-43, 34-26-43.1 am'd.

S. 233—By Amari (As Substituted) 108

Not-for-profit corporations that are exempt from income taxation, civil immunity for officers and trustees

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Food stamps, illegal possession of, criminal offense, penalties

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Retirement Systems, restoration of previous service credit reg., Sec. 16-25-11, 36-27-11 am'd.

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Alabama Manufactured Housing Commission Recovery Fund, estab., for consumer appeal and compensation

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S. 73—By Smith (J) 112

Teacher units further provided for, number of students in state funded classrooms in public schools

S. 565—By deGraffenried 142

Unemployment Trust Fund, approp. from, to purchase land, buildings for the admin. of unemployment comp. and employment services programs of Industrial Relations Dept.

S. B. 155—By Dixon 70

State Contract Review Committee

S. 499—By Goodwin 135

Law enforcement officers, survivors to receive badge, officers disabled in line of duty to receive badge

S. 55—By Cabaniss (As Substituted) 109

Men's Hall of Fame, estab.

S. 515—By Rice 174

Human Resources Dept., family group homes established as type of child day care, Sec. 38-27-2 amended

Uncontested Local Bills.

SUBSTITUTE TO SUBSTITUTE ADOPTED

And the substitute offered by Rep. Butler to the substitute offered by Rep. Drake to the resolution, H. R. 470, was adopted.

On motion of Rep. Carter, the resolution, H. R. 470 as amended, was adopted.

RECESS

On motion of Rep. Johnson (RW), the House stood in recess for one hour.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 549. To further provide for the regulation of horse racing and pari-mutuel wagering thereon; to amend Sections 11-65-2, 11-65-16, 11-65-19 and 11-65-22, Code of Alabama 1975, relating to the requirements that must be satisfied by any person applying for a license to own or operate a horse racing facility and any person holding or acquiring an interest in the holder of such an owner's or operator's license, so as to eliminate any requirement that any such person (or any director or officer thereof) must be or must have been for any specified period of time a resident of the State of Alabama or must apply for permission to acquire an interest in the owner or operator and any limitation on the percentage of ownership that may be acquired in an owner or an operator by one person or family group; to provide that ownership of an interest in an owner or operator may not be held or acquired by a disqualified person and to allow a commission to require the disposition of the interest of any person in an owner or operator if such person is a disqualified person; to amend Section 11-65-10, Code of Alabama 1975, relating to the powers and duties of a racing commission; to amend Section 11-65-2, Code of Alabama 1975, to include a definition of a "disqualified person"; and to provide that the provisions of this act shall apply prospectively.

Also:

H. 826. Relating to Cherokee County; to create a license-issuing division or office within the offices of the county courthouse for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and costs pursuant to such system of renewal of motor vehicle licenses by mail, such fees shall be set by the county commission, from time to time, to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting certain taxes, the issuance of licenses by such license-issuing division; to provide for the performance of certain duties heretofore performed by the tax collector, tax assessor and probate judge by said division

in the office as designated by the county commission; to provide for certain compensation for any interim; and to provide for a referendum and the county commission passing a resolution; and to provide for the effective date of this act.

Also:

H. 858. Relating to Clarke County, Alabama; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the revenue commissioner, relieving the probate judge of such duties; repealing conflicting acts; and providing for an advisory referendum.

Also:

H. 859. Relating to Clarke County; providing for the creation, appointment, powers and duties of a county license inspector; providing for delinquency and citation fees, commissions and penalties allowable to such inspector; and providing that all license inspector's fees, commissions and penalties be paid into the county general fund for the use of the county; providing for the county commission to set the compensation of such officer; and providing for an advisory referendum.

Also:

H. 860. To create the office of commissioner of licenses in Clarke County; to provide for the issuance of all licenses except marriage licenses; to prescribe the powers, duties and authority of the commissioner of licenses; to provide for the election of such commissioner, his term, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties and records of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officers of the duties so transferred; to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed; and to provide for an advisory referendum.

Also:

H. 862. Relating to Clarke County; to change the method of compensating the judge of probate; to fix such compensation; to provide that fees, commissions, allowances, percentages and other charges heretofore collected for the use of the judge of probate shall be collected and paid into the general fund of the county and the salary paid from the said general fund; to make provision for a chief clerk and other personnel, quarters and supplies for the probate office; and to provide for an advisory referendum.

Also:

H. 863. Proposing an amendment to the Constitution of Alabama of 1901, relative to the fees and compensation of the judge of probate of Clarke County.

Also:

H. 888. Relating to the Assistant District Attorney of Crenshaw County and providing further for the compensation of such office and the authority of the Crenshaw County Commission to make certain increases in the

compensation, from time to time, for such office; providing that the provisions of this act shall be retroactive to October 1, 1983.

Also:

H. 899. To alter or rearrange the boundary lines of the City of Elba, Coffee County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Coffee County, Alabama.

Also:

H. 912. To amend Section 11-43-40, Code of Alabama 1975, relating to the composition of city councils in cities having a population of 12,000 or more presently operating with five single-member districts as established under a Federal Court Order, so as to provide for a procedure to establish a council of not less than five nor more than eight aldermen to be elected from districts and a council president to be elected at large.

Also:

H. 919. Relating to Randolph County and levying and collecting of taxes; amending Section 3 of Act No. 85-466, H. 166, Regular Session 1985, which section relates to the office of revenue commissioner in Randolph County and the election therefor; amending Section 12 of said act, relating to the effectiveness of the referendum on the question of abolishing the local office of tax assessor and tax collector and establishing the office of revenue commissioner; providing for the functioning of the office of revenue commissioner commencing October 1991, and the abolishment of the offices of the tax assessor and tax collector simultaneously; providing for the retroactive effect of this act to May 7, 1985; and amending Section 2 of said act so as to make a typographical correction.

Also:

H. 927. To alter or rearrange the boundary lines of the City of Opp, Covington County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Covington County, Alabama.

Also:

H. 928. Relating to Clarke County; providing further for the qualifications of the county superintendent of education.

Also:

H. 929. Relating to Chambers County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for industrial development purposes and providing for a referendum.

Also:

H. 952. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Butler, in Choctaw County.

Also:

H. 961. Relating to Autauga County; approving and authorizing the Autauga County Commission to levy an increase of the countywide public school ad valorem tax presently being levied pursuant to Amendment No.

3 to the Constitution of Alabama of 1901 at the rate of three mills in Autauga County from the present millage to nineteen mills, all in accordance with Amendment No. 373 to the Alabama Constitution; such increased countywide ad valorem tax to be levied and collected by Autauga County for each year beginning with the levy for the tax year October 1, 1987 to September 30, 1988 (the tax for which year will be due and payable October 1, 1988) and ending with the levy for the tax year October 1, 2003 to September 30, 2004 (the tax for which year will be due and payable October 1, 2004) for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of Autauga County at a special election called and held in accordance with the laws governing special elections.

Also:

H. 972. Relating to Cleburne County and the position of license inspector; providing that the county license inspector shall be appointed by the county commission which shall determine whether such position shall be full-time or part-time; prescribing that the county commission shall set his duties and powers and compensation; and specifically repealing Act No. 79-482, H. 986, Regular Session 1979 (Acts 1979, p. 890), placing such powers and duties in the sheriff of the county; and repealing any laws or parts of laws in conflict herewith.

Also:

H. 996. To fix the fee for the issuance of pistol permits in Monroe County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

Also:

H. 997. To fix the fee for the issuance of pistol permits in Conecuh County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

Also:

H. 1003. Relating to the City of Mobile in Mobile County; authorizing the governing body to approve and make lawful the sale of alcoholic beverages at retail within its corporate limits on Sunday after the hour of 2 A.M., except between the hours of 9 A.M. and 12 noon; authorizing said governing body to establish within its corporate limits the hours of sale of alcoholic beverages on Sunday after 2 A.M., except between 9 A.M. and 12 noon; and providing for the sale by retail licensees of the alcoholic beverage control board.

Also:

H. 1004. Relating to compensation of the Mobile County Treasurer; amending Section 1 of Act No. 80-338, H. 857, Regular Session 1980 (Acts 1980, p. 458) relating to compensation for such officer, so as to further provide therefor.

Also:

H. 1012. Relating to Bibb County; to authorize the West Alabama District Board of Health to designate the services rendered by the Bibb

County Health Department for which a reasonable fee may be charged. The West Alabama District Board of Health is further required to set a maximum fee for each service. The Bibb County Health Department may charge and collect such fees. No citizen shall be deprived of any service because that person is unable to pay.

Also:

H. 1014. Relating to Covington County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as the county revenue commissioner; abolishing the offices of tax assessor and tax collector in said county; prescribing the duties and compensation of such commissioner; providing for a motor vehicle license division within the revenue commissioner's office; prescribing duties and procedures for such division; providing for an optional procedure for the renewal of motor vehicle licenses by mail; authorizing certain additional fees and costs pursuant to such system of renewal of motor vehicle licenses by mail; providing that this act shall become effective only if approved at a referendum election and providing for an effective date.

Also:

H. 1028. Authorizing the Mobile County Commission to borrow money for general county purposes, and providing for the repayment thereof.

Also:

H. 1029. Relating to Mobile County; authorizing the county commission to levy a business or privilege fee on certain businesses.

Also:

H. 1030. Providing for the Judge of Probate to assess an additional surcharge at the rate of $10.00 per instrument for all documents submitted for recordation in Probate Court which are subject to a deed or mortgage tax, and providing for these funds and any interest thereon, to be appropriated to the Mobile County General Fund on a monthly basis to be used for general county purposes.

Also:

H. 1055. Relating to the Twenty-ninth Judicial Circuit, in Talladega County; providing further for the compensation of the district attorney.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker Pro Tem of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1062. Relating to Dallas County; amending the title and section 1 of Act No. 415, H. 745, 1978 Regular Session (Acts 1978, p. 412) which act established the Dallas County Law Library Fund, so as to increase certain court costs to be paid to the said Law Library Fund.

Also:

H. 1071. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 2 (being all that part of the said county lying South and East of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama, and that portion of the unincorporated area of the county which is under the jurisdiction and control of the Tuscaloosa City Board of Education), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to $1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

Also:

H. 1072. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 1 (being all that part of the said county lying North and West of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to $1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

Also:

H. 1105. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Leesburg, in Cherokee County, Alabama.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker Pro Tem of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

SPECIAL ORDER

The House then proceeded with the consideration of the Special Order Calendar.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Hettinger, Budget Isolation Resolution relating to S. B. 417, was adopted.

Yeas 39; Nays 0.

Yeas:

Mr. Speaker, Breedlove, Brooks, Burke, Butler, Campbell, Carothers, Carter, Crow, Curry, Dillard, Freeman, Hall, Hammett, Harvey, Hettinger, Higginbotham, Hill, Holley, Johnson (RW), Junkins, Knight, Layson, Lindsey, Marks, Mathis, McMillan, Melton, Mikell, Moon, Newman, Rains, Starkey, Turner, Venable, White (L), Willis, Wright and Zoghby.

—39

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 417. To amend Section 40-18-14, Code of Alabama 1975, which defines the term "gross income" for state income tax purposes, so as to provide further for said definition.

Was read a third time at length and passed.

Yeas 50; Nays 0.

Yeas:

Reps. Adams, Beers, Blake, Breedlove, Brooks, Burke, Butler, Campbell, Carothers, Carter, Cosby, Crow, Curry, Dillard, Flowers, Ford, Freeman, Gaston, Hall, Hamilton, Hammett, Hettinger, Higginbotham, Hill, Hogan, Johnson (RW), Knight, Lindsey, Marks, Mathis, McMillan, Melton, Mikell, Moon, Newman, Parker, Petelos, Rains, Richardson, Starkey, Thomas, Turner, Venable, Warren, White (F), White (G), White (L), Williams, Willis and Wright.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 270. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1988.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate, Senators Horn, Barron, and Drinkard.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 269. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1988.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate, Senators Horn, Barron, and deGraffenried.

McDOWELL LEE,
Secretary.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Mikell, Budget Isolation Resolution relating to S. B. 319, was adopted.

Yeas 63; Nays 0.

Yeas:

Reps. Adams, Beasley, Beers, Blake, Blakeney, Box, Breedlove, Brooks, Burke, Butler, Campbell, Carothers, Carter, Crow, Curry, Dillard, Flowers, Ford, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Hettinger, Higginbotham, Hooper, Johnson (RW), Knight, Laird, Layson, Lindsey, Logan, Marks, Mathis, McKee, McMillan, Melton, Mikell, Moon, Parker, Payne, Petelos, Rains, Reed, Richardson, Seibels, Slaughter, Starkey, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis and Wright.

—63

And the bill:

S. 319. To amend Code of Alabama 1975, Section 12-17-224(a)(2) e.1.(ii) by redefining RESTITUTION to allow Worthless Check Units to collect the

service charge of not more than $10.00 authorized by Alabama Code Sections 13A-9-13.1 through 13A-9-13.3 for the holder of a worthless check.

Was read a third time at length and passed.

Yeas 62; Nays 1.

Yeas:

Reps. Adams, Beasley, Beers, Box, Breedlove, Brooks, Burke, Butler, Campbell, Carothers, Carter, Crow, Curry, Dillard, Flowers, Ford, Freeman, Fuller, Gaston, Gray, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Hettinger, Higginbotham, Hogan, Holley, Hooper, Johnson (RW), Junkins, Knight, Laird, Layson, Lindsey, Logan, Marks, Mathis, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Petelos, Rains, Reed, Richardson, Slaughter, Starkey, Turner, Walker, Warren, White (F), White (G), White (L), Williams, Willis and Wright.

—62

Nay: Rep. Seibels. —1

BUDGET ISOLATION RESOLUTION

On motion of Rep. Carter, Budget Isolation Resolution relating to S. B. 296, was adopted.

Yeas 55; Nays 1.

Yeas:

Reps. Beers, Black, Blake, Breedlove, Brooks, Burke, Butler, Campbell, Carothers, Carter, Crow, Curry, Dillard, Flowers, Ford, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Junkins, Knight, Laird, Layson, Marks, Mathis, Melton, Mikell, Moon, Newman, Parker, Rains, Richardson, Seibels, Slaughter, Starkey, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis and Wright.

—55

Nay: Rep. McKee. —1

And the bill:

S. 296. To provide that persons now employed by state junior colleges and Athens State College who were employed by said institutions prior to such time as said institutions became state supported, may purchase credit for up to five years for such service under the Teachers Retirement System of Alabama.

Was read a third time at length and passed.

Yeas 61; Nays 2.

Yeas:

Reps. Adams, Beers, Black, Blake, Box, Breedlove, Brooks, Burke, Butler, Carothers, Carter, Cosby, Crow, Curry, Davis, Dillard, Flowers, Ford, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RW), Junkins, Knight, Laird, Logan, Marks, Mathis, Melton, Mikell, Moon, Newman, Parker, Petelos,

Rains, Reed, Richardson, Seibels, Slaughter, Starkey, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis and Wright.

—61

Nays: Reps. Harper and McKee. —2

BUDGET ISOLATION RESOLUTION

On motion of Rep. Carter, Budget Isolation Resolution relating to S. B. 318, was adopted.

Yeas 63; Nays 2.

Yeas:

Reps. Adams, Beasley, Beers, Biddle, Blake, Blakeney, Breedlove, Brooks, Burke, Buskey (JL), Butler, Campbell, Carothers, Carter, Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Freeman, Gray, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holmes, Hooper, Johnson (RW), Junkins, Knight, Lindsey, Logan, Marks, Mathis, McKee, Melton, Mikell, Moon, Newman, Parker, Petelos, Reed, Richardson, Seibels, Slaughter, Thomas, Turner, Venable, Walker, Warren, White (G), White (L), Williams, Willis and Wright.

—63

Nays: Reps. Laird and Poole. —2

And the bill:

S. 318. To amend Sections 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, and 8-17-226, Code of Alabama 1975, which sections provide for the regulation of fireworks in Alabama, so as to provide further for such regulation.

Was taken up.

AMENDMENT OFFERED

Rep. Hettinger offered the following amendment to the bill, S. 318:

1. Amend the Bill by deleting Section 8 on page 9 thereof, and by substituting the following:

"Section 8. Section 8-17-226, Code of Alabama 1975, is hereby amended to read as follows:

"This Article shall in no wise affect the power of any county or municipality in this State to restrict or prohibit the sale of "Class C" or any other type of fireworks".

AMENDMENT TABLED

On motion of Rep. Carter, the amendment offered by Rep. Hettinger to the bill, S. 318, was tabled.

Yeas 31; Nays 27.

Yeas:

Reps. Beasley, Beers, Biddle, Blakeney, Burke, Butler, Carothers, Carter, Crow, Dillard, Faulk, Ford, Fuller, Grouby, Hall, Harper, Harvey, Haynes,

Hogan, Holmes, Johnson (RG), Kennedy, McKee, Payne, Reed, Richardson, Starkey, White (G), Willis, Wright and Zoghby.

—31

Nays:

Reps. Adams, Breedlove, Brooks, Cosby, Curry, Drake, Flowers, Freeman, Hamilton, Hettinger, Holley, Johnson (RW), Knight, Lindsey, Logan, Marks, Mathis, Mikell, Parker, Perdue, Petelos, Poole, Rains, Seibels, Turner, Venable and White (F).

—27

AMENDMENT OFFERED

Rep. Turner offered the following amendment to the bill, S. 318:

Amend Senate Bill 318, Section 1, Page 4, Line 32, after the word "retailer" by striking the following:

$350.00 and adding in lieu thereof $100.00

MOTION TO POSTPONE TABLED

On motion of Rep. Turner, the motion offered by Rep. Rains to temporarily postpone consideration of the bill, S. 318, and the pending amendment, was tabled.

Yeas 52; Nays 9.

Yeas:

Reps. Beasley, Beers, Biddle, Blake, Bowling, Box, Breedlove, Brooks, Burke, Butler, Campbell, Carothers, Carter, Cosby, Crow, Dillard, Freeman, Fuller, Gaston, Grouby, Hall, Harper, Harvey, Haynes, Hettinger, Johnson (RG), Johnson (RW), Kennedy, Knight, Kvalheim, Laird, Layson, Logan, Marietta, Marks, Mathis, McMillan, Melton, Payne, Reed, Richardson, Slaughter, Starkey, Turner, Turnham, Venable, Walker, White (G), Williams, Willis, Wright and Zoghby.

—52

Nays:

Reps. Curry, Grayson, Junkins, McKee, Mikell, Newman, Poole, Rains and White (F).

—9

SUBSTITUTE AMENDMENT OFFERED

Rep. White (F) offered the following substitute amendment to the amendment offered by Rep. Turner to the bill, S. 318:

Amend Senate Bill 318, Section 1, Page 4, Line 32, after the word "retailer" by striking the following:

325.00 and adding in lieu thereof $50.00

SUBSTITUTE AMENDMENT TABLED

On motion of Rep. Carter, the substitute amendment offered by Rep. White (F) was tabled.

Yeas 49; Nays 17.

Yeas:

Reps. Adams, Beasley, Beers, Biddle, Blake, Blakeney, Bowling, Box, Breedlove, Burke, Butler, Campbell, Carothers, Carter, Dillard, Faulk, Freeman, Fuller, Gaston, Gray, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Hill, Johnson (RW), Knight, Kvalheim, Logan, Marietta, Marks, Mathis, Melton, Moon, Newman, Parker, Payne, Reed, Richardson, Starkey, Turnham, Venable, Walker, White (G), Williams, Wright and Zoghby.

—49

Nays:

Reps. Brooks, Cosby, Crow, Curry, Grayson, Junkins, Laird, Layson, Lindsey, McKee, McMillan, Mikell, Rains, Thomas, Warren, White (F) and Willis.

—17

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Rep. Turner to the bill, S. 318, and the amendment was adopted.

Yeas 71; Nays 2.

Yeas:

Reps. Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Brooks, Bryant, Burke, Buskey (JL), Butler, Campbell, Carothers, Carter, Cosby, Crow, Dillard, Drake, Faulk, Ford, Freeman, Fuller, Gaston, Grouby, Hall, Hammett, Harvey, Haynes, Hettinger, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Laird, Layson, Lindsey, Logan, Marietta, Marks, Mathis, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Payne, Rains, Reed, Richardson, Slaughter, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), Williams, Willis, Wright and Zoghby.

—71

Nays: Reps. Grayson and Poole. —2

And the bill S. 318, as thus amended, was read a third time at length and passed.

Yeas 57; Nays 16.

Yeas:

Reps. Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Bryant, Buskey (JL), Butler, Campbell, Carothers, Carter, Cosby, Crow, Dillard, Drake, Faulk, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hammett, Harvey, Haynes, Holmes, Hooper, Johnson (RG), Knight, Kvalheim, Laird, Logan, Marietta, Marks, Mathis, McMillan, Mikell, Moon, Newman, Payne, Reed, Richardson, Slaughter, Starkey, Turnham, Venable, Walker, White (G), Williams, Willis, Wright and Zoghby.

—57

Nays:

Reps. Brooks, Burke, Curry, Hettinger, Holley, Johnson (RW), Junkins, Lindsey, McKee, Melton, Parker, Poole, Rains, Turner, Warren and White (F).

—16

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Drinkard (With Notice and Proof):

S. 706. To fix the fee for the issuance of pistol permits in Etowah County; to provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund; to provide for the use of such fund; and to provide that this act shall be retroactive to January 19, 1987.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 706, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975, ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Senator Drinkard (With Notice and Proof):

S. 707. Relating to Etowah County; providing for the distribution of fire protection net tax revenues generated pursuant to Amendment No. 445, Amendment of Amendment 432, which authorized the levy of such tax and the distribution to volunteer fire departments for such protection and services, so as to provide for the manner of such distribution together with any earned interest thereon.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 707, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975, ACT NO. 919.

McDOWELL LEE, SECRETARY

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 706. Local Legislation No. 1.

S. 707. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Menton (With Notice and Proof):

S. 627. To provide that certain employees of Mobile County covered under the employees' retirement system who were employed by a municipality of Mobile County prior to the municipality's participation in the retirement systems shall be eligible under certain conditions to receive credit for the prior service as an employee of the municipality.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 627, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975, ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Senator Covington (With Notice and Proof):

S. 697. Relating to Dale County; providing an additional county expense allowance for members of the county board of registrars, payable from any county funds; and providing for cumulative and retroactive effect to October 1, 1986.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 697, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975, ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Senator Hand (With Notice and Proof):

S. 610. To remove certain property from within the municipal limits of the Town of Summerdale in Baldwin County.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 610, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975, ACT NO. 919.

McDOWELL LEE, SECRETARY

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 627. Local Legislation No. 3.

S. 697. Local Legislation No. 1.

S. 610. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator deGraffenried (With Notice and Proof):

S. 620. Relating to Tuscaloosa County; providing the tax assessor and tax collector of the county an additional expense allowance, payable from county funds; and providing further for the compensation of each such public office at the expiration of the respective terms of office of such incumbent officials.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 620, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975, ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Senator Hand (With Notice and Proof):

S. 660. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Orange Beach, in Baldwin County; to provide for a referendum election of the qualified electors who reside within the territory proposed to be brought within the municipal limits of Orange Beach.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 660, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975, ACT NO. 919.

McDOWELL LEE, SECRETARY

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 620. Local Legislation No. 1.

S. 660. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Senator Bedsole (With Notice and Proof):

S. 498. Relating to Mobile County; providing for the acceptance of certain unimproved roads and regulating the construction of certain other unimproved roads.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 498, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975, ACT NO. 919.

McDOWELL LEE, SECRETARY

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 498. Local Legislation No. 3.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Senator Mitchem (With Notice and Proof):

S. 696. To permit banks now or hereafter situated in Marshall County to establish, maintain and operate branch banks and branch offices within the limits of such county, except within the city limits of incorporated municipalities having a population of 5,000 or less in accord with the present or any subsequent federal decennial census and in which a bank is already established; to authorize the conduct of a general banking and trust business at such locations; and to repeal conflicting laws.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 696, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975, ACT NO. 919.

McDOWELL LEE, SECRETARY

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 696. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Senator Horn:

S. 676. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama League for Advancement of Education

for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 676. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Senators Bailey, Holmes, and Barron:

S. 671. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 671. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and sends same herewith to the House:

By Senators Horn and Hilliard:

S. 641. To make an appropriation from the Alabama Special Educational Trust Fund and the State General Fund for the fiscal year 1987-88, for the use of a sickle cell education program, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

By Senators Amari, Holmes, and Preuitt:

S. 680. To make appropriations from the Alabama Special Educational Trust Fund to the United Cerebral Palsy of Alabama and the United Cerebral Palsy Development Center for East Central Alabama and from the State General Fund for the Simpson-May Cerebral Palsy Center for the fiscal year

1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 641. Ways and Means.

S. 680. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Senator Bishop:

S. 686. To make a conditional appropriation from the Special Educational Trust Fund to Faulkner University.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 686. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Senators Bedford, Corbett, and Covington:

S. 341. To create the Police Officer's and Firefighter's Survivor Educational Assistance Act; to provide for tuition assistance and other costs for an undergraduate student in a state college, community college, junior college, technical college or state university who is the dependent child, or spouse who has not remarried, of a law enforcement officer or firefighter killed in the line of duty; to provide that the Alabama Commission on Higher Education shall administer the provisions of the act; to create the Tuition Eligibility Board and provides for membership; to make an appropriation; and to repeal Sections 36-21-95 through 36-21-99, Code of Alabama 1975, the Policeman's Survivor Tuition Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 341. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Hilliard (With Notice and Proof):

S. 450. Relating to Class I municipalities, to provide that the courts of this state shall take judicial notice of all municipal ordinances of such municipalities.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 450, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975, ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Senator Hilliard (With Notice and Proof):

S. 713. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, to make the provisions of the retirement and relief system of the City of Birmingham available to the employees of the Birmingham Airport Authority upon election of such coverage by the Birmingham Airport Authority.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 713, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975, ACT NO. 919.

McDOWELL LEE, SECRETARY

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 450. Local Legislation No. 2.

S. 713. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Senators Corbett and Hilliard:

S. 685. To make an appropriation from the Alabama Special Educational Trust Fund to Tuskegee University for the Small Farm Development and Assistance Program for the fiscal year 1987-88.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 685. Ways and Means.

ADJOURNMENT MOTION

Rep. Johnson (RW) offered the motion that when the House adjourns today it will adjourn to meet at 11:00 o'clock a.m. on the twenty-ninth legislative day.

HOUSE BILLS POSTPONED

On motion of Rep. Johnson (RW), when the House adjourns today, all House bills remaining on the Calendar will be indefinitely postponed.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Box, Budget Isolation Resolution relating to S. B. 147, was adopted.

Yeas 51; Nays 25.

Yeas:

Mr. Speaker, Adams, Biddle, Black, Blakeney, Bowling, Box, Breedlove, Britnell, Bryant, Burke, Buskey (JL), Campbell, Carter, Cosby, Curry, Davis, Dillard, Drake, Faulk, Fuller, Gaston, Hamilton, Harvey, Hill, Hooper, Johnson (RW), Kennedy, Knight, Kvalheim, Marietta, Marks, Mathis, McClain, Melton, Moon, Newman, Parker, Payne, Petelos, Reed, Rogers, Seibels, Slaughter, Spratt, Starkey, Warren, White (G), Willis, Wright and Zoghby.

—51

Nays:

Reps. Beasley, Beers, Brooks, Buskey (JE), Carothers, Clark (W), Grayson, Grouby, Hall, Hammett, Haynes, Hogan, Holley, Johnson (RG), Junkins, Laird, Lindsey, McDowell, McKee, Poole, Thomas, Turner, Venable, White (F) and White (L).

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RESOLUTIONS

The following resolutions were introduced and distributed according to Joint Rule 11:

By Rep. Biddle:

H. R. 471. COMMENDING THE VOLUNTEER AUXILIARY OF THE UNIVERSITY OF ALABAMA HOSPITAL AT BIRMINGHAM.

Also:

By Reps. McDowell, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. R. 472. WISHING OUR FRIEND AND COLLEAGUE, REPRESENTATIVE DEMETRIUS NEWTON, A SPEEDY RECOVERY.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 481. Relating to Mobile County; to amend Act No. 544, S. 602, 1967 Regular Session, as amended, which provides for funds from the general fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, so as to provide further for said funding.

Also:

H. 798. Relating to Mobile County; providing that the county commission shall call for a public hearing to be held a certain time prior to approving any landfill project and dirt pits in said county and empowering the county commissioner representing the commission district in which such proposed landfill and dirt pits are to be located with veto power over any commission decision approving such landfill project and dirt pits if such public hearing is not called as provided for in this act.

Also:

H. 924. To provide that certain employees of Mobile County covered under the employees' retirement system who were employed by a municipality of Mobile County prior to the municipality's participation in the retirement systems shall be eligible under certain conditions to receive credit for the prior service as an employee of the municipality.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 712. Relating to Walker County; amending Act No. 113, H. 69, 1965 First Special Session, which establishes a civil service system for the City

of Jasper, so as to provide further for the compensation of members of the Civil Service Board.

Also:

H. 752. Relating to Blount County; To provide for a special recording fee of $2.00, in addition to all existing recording fees and charges, for each such document hereafter filed for record in Blount County; and to provide for the expenditure of the funds in the office of the judge of probate.

Also:

H. 783. Relating to Geneva County; to provide for the compensation of the revenue commissioner in said county, and to specifically repeal parts of Section 6, Act 651, Regular Session 1978 (Acts 1978, p. 923) in conflict herewith.

Also:

H. 856. Relating to Tallapoosa County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendments to the following Senate Bills:

S. 318. To amend Sections 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, and 8-17-226, Code of Alabama 1975, which sections provide for the regulation of fireworks in Alabama, so as to provide further for such regulation.

McDOWELL LEE,
Secretary.

MOTION TO ADJOURN LOST

The motion offered by Rep. Buskey (JE) that the House adjourn until 11:00 o'clock a.m. on the twenty-ninth legislative day, was lost.

Yeas 24; Nays 45.

Yeas:

Reps. Blake, Blakeney, Bowling, Buskey (JE), Cosby, Crow, Drake, Grayson, Hettinger, Hogan, Junkins, Lindsey, McKee, Moon, Newman, Rains, Reed, Spratt, Turner, Walker, Warren, White (F), Williams and Willis.

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Nays:

Reps. Adams, Beasley, Beers, Biddle, Black, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JL), Butler, Carothers, Carter, Curry, Davis, Dillard, Gaston, Hall, Hamilton, Hammett, Harvey, Haynes, Hill, Hooper, Johnson (RG), Kennedy, Knight, Kvalheim, Marietta, Mathis, McClain,

McDowell, McMillan, Parker, Payne, Petelos, Rogers, Slaughter, Venable, White (G), White (L), Wright and Zoghby.

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S. 147 RESUMED

And the bill:

S. 147. To provide further for motor vehicular operation and safety; to amend Section 32-5A-171, Code of Alabama 1975, which relates to the maximum speed at which motor vehicles may be driven so as to increase said limit on certain roads; to provide for the marking of trucks and maximum speed limit for trucks transporting explosives, flammable liquids or hazardous wastes; to require certain front seat occupants of motor vehicles to wear safety seat belts; and to provide for penalties for violations.

Was taken up.

MOTION TO POSTPONE

Rep. Buskey (JE) offered the motion to postpone the bill, S. 147, to the thirtieth legislative day.

MOTION TO TABLE LOST

The motion offered by Rep. Spratt to table the motion to postpone offered by Rep. Buskey (JE), was lost.

Yeas 34; Nays 38.

Yeas:

Reps. Bowling, Box, Breedlove, Britnell, Bryant, Buskey (JL), Clark (W), Curry, Davis, Drake, Flowers, Gaston, Hamilton, Harvey, Hill, Kennedy, Knight, Kvalheim, Logan, Marietta, Marks, Parker, Payne, Perdue, Petelos, Rogers, Seibels, Slaughter, Spratt, Turnham, White (G), Willis, Wright and Zoghby.

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Nays:

Reps. Beasley, Blake, Blakeney, Brooks, Burke, Buskey (JE), Butler, Carothers, Crow, Faulk, Grayson, Grouby, Hall, Hammett, Haynes, Hettinger, Hogan, Johnson (RG), Junkins, Laird, Lindsey, Mathis, McClain, McDowell, McKee, Melton, Mikell, Moon, Newman, Poole, Rains, Richardson, Turner, Venable, Walker, Warren, White (L) and Williams.

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 481. Relating to Mobile County; to amend Act No. 544, S. 602, 1967 Regular Session, as amended, which provides for funds from the general

fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, so as to provide further for said funding.

Also:

H. 712. Relating to Walker County; amending Act No. 113, H. 69, 1965 First Special Session, which establishes a civil service system for the City of Jasper, so as to provide further for the compensation of members of the Civil Service Board.

Also:

H. 752. Relating to Blount County; To provide for a special recording fee of $2.00, in addition to all existing recording fees and charges, for each such document hereafter filed for record in Blount County; and to provide for the expenditure of the funds in the office of the judge of probate.

Also:

H. 783. Relating to Geneva County; to provide for the compensation of the revenue commissioner in said county, and to specifically repeal parts of Section 6, Act 651, Regular Session 1978 (Acts 1978, p. 923) in conflict herewith.

Also:

H. 798. Relating to Mobile County; providing that the county commission shall call for a public hearing to be held a certain time prior to approving any landfill project and dirt pits in said county and empowering the county commissioner representing the commission district in which such proposed landfill and dirt pits are to be located with veto power over any commission decision approving such landfill project and dirt pits if such public hearing is not called as provided for in this act.

Also:

H. 856. Relating to Tallapoosa County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

Also:

H. 924. To provide that certain employees of Mobile County covered under the employees' retirement system who were employed by a municipality of Mobile County prior to the municipality's participation in the retirement systems shall be eligible under certain conditions to receive credit for the prior service as an employee of the municipality.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker Pro Tem of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum

present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 956. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Also:

H. 962. Relating to Elmore County; providing for a special indexing fee on documents filed in the office of the judge of probate.

Also:

H. 971. Relating to Cleburne County, to provide that the probate judge shall be paid on a pro-rata basis out of the ad valorem tax proceeds collected each year into the county general fund, effective October 1, 1987; to create a special account in the general fund for such taxes collected, and to authorize the probate judge to attend professional conventions, workshops and other professional (seminars or meetings and to become a member of professional) organizations, all of which is to be paid from the funds remaining in said special account after the judge is compensated.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 785. Relating to Houston County; authorizing branch banking.

Also:

H. 946. Relating to Pickens County; to provide further for the expense allowance of the county coroner and to provide for retroactive effect.

Also:

H. 947. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

Also:

H. 954. Relating to Calhoun County; amending Act No. 80-86, 1980 Regular Session (Acts of 1980 Regular Session), so as to increase the fee for issuance of pistol permits to persons under age 65 by the sheriff; and to change the method of distribution of such fees.

Also:

H. 955. Relating to Chilton County; abolishing the office of county treasurer; investing all the duties and powers of the county treasurer under

the supervision of a county official designated as county administrator; and providing for the appointment and compensation of such county administrator.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 302. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Sardis City, Alabama, in Etowah County.

Also:

H. 808. Relating to Montgomery County; authorizing the Montgomery County Commission and the Montgomery County Sheriff's Department to prohibit the overgrowth of weeds, the storage and accumulation of junk, inoperable motor vehicles and other litter; requiring a county license to operate a junkyard; and providing penalties for violations.

WHEREAS, accumulation or storage of junk, trash, scrap materials, rubbish, tires, inoperable motor vehicles, litter, debris, and other matter, all or any one or combination thereof, on premises within the unincorporated territory of Montgomery County constitutes a real and present danger and hazard to the health and safety of the citizens of the county; and

WHEREAS, such storage and accumulations are widespread and have caused reduction in the value of neighboring premises; now therefore,

Also:

H. 922. To provide that the City Council of the City of Sylacauga, Alabama, Talladega County, may by ordinance, adopted not less than six (6) months prior to the regular municipal election, divide the municipality into single-member districts; to provide residency requirements for candidates seeking election to the council from said districts; to provide that candidates for council member be elected by only the electors of the district they wish to represent; to provide procedures for filling a vacancy in the office of the mayor in any such municipality; and to require the municipal clerk to file a certified copy of the ordinance, together with a map or plat of the city or town showing the boundaries of such districts, with the Probate Judge of the county or counties in which the municipality is located.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 857. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Jackson Gap, in Tallapoosa County.

Also:

H. 894. Relating to Limestone County; providing that it shall be unlawful for one or more persons to willfully throw or cast headlights or any rays of artificial light in a certain manner and under certain conditions; to provide for certain exceptions and to prescribe penalty for violation.

Also:

H. 930. Relating to Lee County; authorizing the Lee County Board of Health to annually fix a schedule of fees for services rendered pursuant to the duties with which the board is charged; to provide for the annual examination and approval of such fee schedules by the county commission; to authorize the exemption of certain persons from paying said fees; to authorize the county board of health to promulgate rules and regulations proper for the administration of this act.

Also:

H. 933. Relating to the Twenty-eighth Judicial Circuit; providing for certain county salary supplements for the circuit judges and district attorney in said circuit in lieu of any local salary supplements and expense allowances heretofore provided by law for such judges and district attorney; prescribing the manner and time frame within which such county salary supplements shall be paid from the county general fund of the county containing said circuit and prescribing certain conditions which may be relative to the payment of such salary supplements.

Also:

H. 945. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 445. NAMING THE NEW BRIDGES OVER THE CONECUH RIVER ON U.S. HIGHWAY 29 IN ESCAMBIA COUNTY, THE E. CRUM FOSHEE BRIDGES.

McDOWELL LEE,
Secretary.

MOTION TO RECESS

Rep. Johnson (RW) offered the motion that the House stand in recess for one and one-half hours.

MOTION TO TABLE LOST

The motion offered by Rep. Buskey (JE) to table the motion to recess was lost.

Yeas 41; Nays 43.

Yeas:

Reps. Beasley, Beers, Biddle, Blake, Blakeney, Brooks, Bryant, Buskey (JE), Butler, Campbell, Carothers, Crow, Escott, Faulk, Flowers, Frazier, Grayson, Grouby, Hall, Haynes, Hill, Hogan, Johnson (RG), Kvalheim, Laird, McClain, McDowell, McKee, Mikell, Payne, Perdue, Poole, Rains, Spratt, Starkey, Thomas, Turner, Venable, Walker, Warren and Willis.

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Nays:

Mr. Speaker, Box, Breedlove, Britnell, Burke, Buskey (JL), Carter, Clark (W), Cosby, Curry, Dillard, Fuller, Gaston, Hamilton, Hammett, Harvey, Higginbotham, Holley, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Layson, Lindsey, Logan, Marietta, Marks, Mathis, McMillan, Melton, Moon, Newman, Parker, Petelos, Richardson, Seibels, Slaughter, Turnham, White (F), Williams, Wright and Zoghby.

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SUBSTITUTE MOTION LOST

The substitute motion offered by Rep. White (F) that the House adjourn until 11:00 o'clock a.m. on the twenty-ninth legislative day, was lost.

RECESS

The question was then on the motion offered by Rep. Johnson (RW) that the House stand in recess for one and one-half hours, and the motion was adopted.

Yeas 56; Nays 32.

Yeas:

Mr. Speaker, Box, Breedlove, Britnell, Brooks, Burke, Buskey (JL), Campbell, Carter, Cosby, Crow, Curry, Davis, Dillard, Escott, Faulk, Freeman, Fuller, Gaston, Hamilton, Hammett, Harper, Harvey, Higginbotham, Hill, Holley, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marietta, Marks, Mathis, Melton, Moon, Newman, Parker, Perdue, Petelos, Reed, Richardson, Slaughter, Spratt, Thomas, Turnham, Warren, White (F), White (G), Williams, Wright and Zoghby.

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Nays:

Reps. Beasley, Beers, Biddle, Black, Blake, Blakeney, Bryant, Buskey (JE), Butler, Carothers, Flowers, Grouby, Hall, Haynes, Hogan, Johnson (RG), Laird, McClain, McDowell, McKee, McMillan, Mikell, Payne, Poole, Rains, Seibels, Starkey, Turner, Venable, Walker, White (L) and Willis.

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HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 999. Relating to Lauderdale County, to provide further for the compensation of the members of the county board of education, to provide retroactive effect and to repeal certain acts.

Also:

H. 1009. Relating to Marshall County; requiring all lodging facilities located in Lake Guntersville State Park to collect certain lodgings taxes as provided by law.

Also:

H. 1013. To fix the fee for the issuance of pistol permits in Marshall County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

Also:

H. 1016. Relating to Cullman County; providing for the county governing body to reimburse the offices of the revenue commissioner and the probate judge for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing that such funds shall be payable from the general fund of the county.

Also:

H. 1017. Relating to Marshall County; authorizing the Marshall County Commission to levy an additional county privilege, license, or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and distribution of the proceeds therefor; providing for an advisory referendum on the issue of adding such additional county tax; prescribing misdemeanor penalties against those who violate the provisions of this act; and construing that the provisions of this act are cumulative.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 742. To authorize the City of Tuscaloosa, Tuscaloosa County, Alabama, to establish an Enterprise Zone in the area of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such city, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zone, including, but not limited

to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zone, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such city or private entities within such zone under any Act of the Congress of the United States heretofore or hereafter enacted.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 977. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Huntsville, in Madison County.

Also:

H. 1088. Relating to Lowndes County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two (2) cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Lowndes County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Lowndes County Commission for the collection of said taxes.

Also:

H. 1090. Relating to Lowndes County; authorizing the Lowndes County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

H. 1091. Relating to Lowndes County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the dispositon of the proceeds from such tax.

McDOWELL LEE,
Secretary.

S. 147 RESUMED

MOTION TO POSTPONE TABLED

The question was then on the motion offered by Rep. Buskey (JE) to postpone further consideration of the bill, S. 147, to the thirtieth legislative day, and on motion of Rep. Box, the motion was tabled.

Yeas 44; Nays 24.

Yeas:

Reps. Biddle, Box, Breedlove, Britnell, Bryant, Buskey (JL), Carter, Clark (W), Cosby, Curry, Dillard, Escott, Flowers, Freeman, Fuller, Gaston, Grayson, Grouby, Hamilton, Harper, Harvey, Hooper, Kennedy, Knight, Kvalheim, Laird, Layson, Logan, Marietta, Marks, McClain, Moon, Parker, Penry, Perdue, Petelos, Slaughter, Spratt, Starkey, Turnham, Warren, White (G), Wright and Zoghby.

—44

Nays:

Mr. Speaker, Blake, Blakeney, Brooks, Burke, Buskey (JE), Butler, Crow, Frazier, Hall, Hammett, Hettinger, Hogan, Junkins, Lindsey, McKee, Newman, Richardson, Seibels, Turner, Walker, White (F), White (L) and Willis.

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SUBSTITUTE OFFERED

Rep. McKee offered the following substitute to the bill, S. 147:

A BILL
TO BE ENTITLED
AN ACT

To provide further for motor vehicular operation and safety; to amend Section 32-5A-171, Code of Alabama 1975, which relates to the maximum speed at which motor vehicles may be driven so as to increase said limit on certain roads; to provide for the marking of trucks and maximum speed limit for trucks transporting explosives, flammable liquids or hazardous wastes; and to urge certain front seat occupants of motor vehicles to wear safety seat belts.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Legislature of the State of Alabama, in accordance with recently enacted federal legislation, recognizes and declares that it is in the interest of the people of Alabama to provide for an increase in the maximum speed limit at which motor vehicles may be operated on certain roads in the State of Alabama. Cognizant also of legitimate and continuing concerns for highway safety, of the need to take precautionary measures to protect the lives of the State's people from motor vehicle accidents, and particularly of the potential impact on highway safety of an increase in the speed limit on certain roads, the Legislature also recognizes and declares that it is in the interest of the people of Alabama to use safety seat belts under certain circumstances. It is the Legislature's purpose and intent to eliminate or minimize any potential adverse effect on highway safety as a result of the speed limit increase by contemporaneously urging safety seat belt usage by certain motor vehicle occupants.

Section 2. Section 32-5A-171 of the Code of Alabama 1975, is hereby amended to read as follows:

"§32-5A-171.

"Except when a special hazard exists that requires lower speed for compliance with section 32-5A-170, the limits hereinafter specified or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits.

"(1) No person shall operate a vehicle in excess of 30 miles per hour in any urban district.

~~"(2) No person shall operate a passenger vehicle, a passenger bus or any motor truck having a box or express type body, of three quarters of a ton capacity or less, commonly known as pick ups or pick up trucks, at a speed in excess of 55 miles per hour during the hours of daylight or 55 miles per hour during the hours of night unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (4). For the purpose of this chapter daylight shall be one half hour before sunrise to one half hour after sunset.~~

"(2) No person shall operate a motor vehicle on the highways in this state, other than interstate highways, at a speed in excess of 55 miles per hour at any time unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (5).

~~"(3) No person shall operate a truck with a rated capacity of more than 3/4 ton at a rate of speed greater than 55 miles per hour at any time unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (4).~~

"(3) No person shall operate a motor vehicle, on an interstate highway within the state of Alabama, at a speed in excess of 55 miles per hour in urban areas of fifty thousand population or more or in excess of 65 miles per hour outside such urban areas unless a different maximum rate of speed is permitted or allowed by the Federal Highway Administration, or unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (5) hereof.

"(4) Not withstanding any provisions of this section to the contrary, no person shall operate a passenger vehicle, motor truck or passenger bus which carries or transports explosives or flammable liquids, as defined in Section 32-1-1.1, Code of Alabama 1975, or hazardous wastes, as defined in Section 22-30-3(5), Code of Alabama 1975, in this state unless the vehicle, truck or bus prominently displays a current decal, plate or placard which is required by the rules or regulations of the DOT or the PSC which indicates or warns that the vehicle, truck or bus is carrying or transporting such substances. No person shall operate such vehicle, truck or bus at a rate of speed greater than 55 miles per hour at any time unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (5).

"~~(4)~~ (5) The governor is hereby specifically authorized to prescribe the maximum rate of speed whenever a different rate of speed is required by federal law in order for Alabama to receive federal funds for highway maintenance and construction.

"~~(5)~~ (6) The maximum speed limits set forth in this section may be altered as authorized in sections 32-5A-172 and 32-5A-173."

Section 3. (a) For purposes of this section, the term "passenger car" means a motor vehicle with motive power designed for carrying ten or fewer passengers. Such term does not include a motorcycle or a trailer.

(b) (1) Each front seat occupant of a passenger car manufactured with safety belts in compliance with Federal Motor Vehicle Safety Standard No. 208 may have a safety belt properly fastened about his body at all times when the vehicle is in motion.

(2) The provisions of subsection (1) of this section shall not apply to:

a. A child passenger using a child passenger restraint system pursuant to section 32-5-222, Code of Alabama 1975.

b. An occupant of a passenger car who possesses a written statement from a licensed physician that he is unable for medical reasons to wear a safety belt.

c. A rural letter carrier of the United States Postal Service while performing his duties as a rural letter carrier.

d. A driver or passenger delivering newspapers or mail from house to house.

e. Passengers in a passenger car with a model year prior to 1965.

f. Passengers in motor vehicles which normally operate in reverse.

Section 4. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE TABLED

On motion of Rep. Box, the substitute offered by Rep. McKee to the bill, S. 147, was tabled.

Yeas 48; Nays 27.

Yeas:

Mr. Speaker, Biddle, Box, Breedlove, Britnell, Buskey (JL), Carter, Clark (W), Cosby, Curry, Dillard, Escott, Faulk, Flowers, Freeman, Fuller, Gaston, Grayson, Grouby, Hamilton, Harper, Harvey, Hooper, Kennedy, Knight, Kvalheim, Layson, Marietta, Marks, Mathis, McClain, McMillan, Melton, Moon, Newman, Parker, Penry, Perdue, Petelos, Seibels, Slaughter, Spratt, Starkey, Turnham, Warren, White (G), Wright and Zoghby.

—48

Nays:

Reps. Beasley, Beers, Blake, Blakeney, Brooks, Burke, Buskey (JE), Butler, Carothers, Crow, Frazier, Hall, Hammett, Hettinger, Hogan, Johnson (RG), Junkins, Lindsey, McKee, Payne, Rains, Richardson, Turner, Walker, White (F), White (L) and Willis.

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AMENDMENT OFFERED

Rep. White (L) offered the following amendment to the bill, S. 147:

Amend S. B. 147, Page 4, Section 3 (b) (1), after the words "front seat" by adding the following language: <u>or any other</u>

AMENDMENT TABLED

On motion of Rep. Box, the amendment offered by Rep. White (L) to the bill, S. 147, was tabled.

Yeas 50; Nays 32.

Yeas:

Mr. Speaker, Biddle, Box, Breedlove, Britnell, Brooks, Bugg, Buskey (JL), Campbell, Carter, Cosby, Curry, Davis, Dillard, Escott, Flowers, Freeman, Fuller, Gaston, Grouby, Hamilton, Harper, Harvey, Higginbotham, Hill, Hooper, Johnson (RW), Kennedy, Knight, Kvalheim, Layson, Logan, Marietta, Marks, McClain, McMillan, Moon, Newman, Parker, Penry, Perdue, Petelos, Richardson, Rogers, Slaughter, Spratt, Starkey, White (G), Wright and Zoghby.

—50

Nays:

Reps. Beasley, Beers, Blake, Buskey (JE), Carothers, Crow, Frazier, Grayson, Hall, Hammett, Haynes, Hettinger, Hogan, Holley, Johnson (RG), Junkins, Lindsey, Mathis, McKee, Melton, Payne, Poole, Rains, Seibels, Thomas, Turner, Turnham, Walker, White (F), White (L), Williams and Willis.

—32

AMENDMENT OFFERED

Rep. White (F) offered the following amendment to the bill, S. 147:

Amend Senate Bill 147, Section F, Page 5, Line 16, after the word(s) "effect" by adding the following: crash helmets shall be worn by all front seat passengers

AMENDMENT TABLED

On motion of Rep. Box, the amendment offered by Rep. White (F) to the bill, S. 147, was tabled.

Yeas 56; Nays 23.

Yeas:

Mr. Speaker, Biddle, Black, Box, Breedlove, Britnell, Buskey (JL), Carter, Clark (W), Curry, Davis, Dillard, Escott, Flowers, Freeman, Fuller, Gaston, Grouby, Hamilton, Harper, Harvey, Hettinger, Hill, Holmes, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marietta, Marks, McClain, McMillan, Moon, Newman, Parker, Penry, Perdue, Petelos, Poole, Reed, Rogers, Seibels, Slaughter, Spratt, Starkey, Turner, Warren, White (G), Williams, Wright and Zoghby.

—56

Nays:

Reps. Beasley, Beers, Blake, Buskey (JE), Carothers, Cosby, Crow, Frazier, Grayson, Hall, Haynes, Hogan, Holley, Johnson (RG), Mathis, McKee, Payne, Rains, Richardson, Walker, White (F), White (L) and Willis.

—23

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 302. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Sardis City, Alabama, in Etowah County.

Also:

H. 785. Relating to Houston County; authorizing branch banking.

Also:

H. 808. Relating to Montgomery County; authorizing the Montgomery County Commission and the Montgomery County Sheriff's Department to prohibit the overgrowth of weeds, the storage and accumulation of junk, inoperable motor vehicles and other litter; requiring a county license to operate a junkyard; and providing penalties for violations.

WHEREAS, accumulation or storage of junk, trash, scrap materials, rubbish, tires, inoperable motor vehicles, litter, debris, and other matter, all or any one or combination thereof, on premises within the unincorporated territory of Montgomery County constitutes a real and present danger and hazard to the health and safety of the citizens of the county; and

WHEREAS, such storage and accumulations are widespread and have caused reduction in the value of neighboring premises; now therefore,

Also:

H. 857. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Jackson Gap, in Tallapoosa County.

Also:

H. 894. Relating to Limestone County; providing that it shall be unlawful for one or more persons to willfully throw or cast headlights or any rays of artificial light in a certain manner and under certain conditions; to provide for certain exceptions and to prescribe penalty for violation.

Also:

H. 922. To provide that the City Council of the City of Sylacauga, Alabama, Talladega County, may by ordinance, adopted not less than six (6) months prior to the regular municipal election, divide the municipality into single-member districts; to provide residency requirements for candidates seeking election to the council from said districts; to provide that candidates for council member be elected by only the electors of the district they wish to represent; to provide procedures for filling a vacancy in the office of the

mayor in any such municipality; and to require the municipal clerk to file a certified copy of the ordinance, together with a map or plat of the city or town showing the boundaries of such districts, with the Probate Judge of the county or counties in which the municipality is located.

Also:

H. 930. Relating to Lee County; authorizing the Lee County Board of Health to annually fix a schedule of fees for services rendered pursuant to the duties with which the board is charged; to provide for the annual examination and approval of such fee schedules by the county commission; to authorize the exemption of certain persons from paying said fees; to authorize the county board of health to promulgate rules and regulations proper for the administration of this act.

Also:

H. 933. Relating to the Twenty-eighth Judicial Circuit; providing for certain county salary supplements for the circuit judges and district attorney in said circuit in lieu of any local salary supplements and expense allowances heretofore provided by law for such judges and district attorney; prescribing the manner and time frame within which such county salary supplements shall be paid from the county general fund of the county containing said circuit and prescribing certain conditions which may be relative to the payment of such salary supplements.

Also:

H. 945. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

Also:

H. 946. Relating to Pickens County; to provide further for the expense allowance of the county coroner and to provide for retroactive effect.

Also:

H. 947. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

Also:

H. 954. Relating to Calhoun County; amending Act No. 80-86, 1980 Regular Session (Acts of 1980 Regular Session), so as to increase the fee for issuance of pistol permits to persons under age 65 by the sheriff; and to change the method of distribution of such fees.

Also:

H. 955. Relating to Chilton County; abolishing the office of county treasurer; investing all the duties and powers of the county treasurer under the supervision of a county official designated as county administrator; and providing for the appointment and compensation of such county administrator.

Also:

H. 956. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Also:

H. 962. Relating to Elmore County; providing for a special indexing fee on documents filed in the office of the judge of probate.

Also:

H. 971. Relating to Cleburne County, to provide that the probate judge shall be paid on a pro-rata basis out of the ad valorem tax proceeds collected each year into the county general fund, effective October 1, 1987; to create a special account in the general fund for such taxes collected, and to authorize the probate judge to attend professional conventions, workshops and other professional seminars or meetings and to become a member of professional organizations, all of which is to be paid from the funds remaining in said special account after the judge is compensated.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker Pro Tem of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 445. NAMING THE NEW BRIDGES OVER THE CONECUH RIVER ON U.S. HIGHWAY 29 IN ESCAMBIA COUNTY, THE E. CRUM FOSHEE BRIDGES.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker Pro Tem of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 993. Relating to Russell County; to amend Section 8 of Act No. 85-386, H. 540 of the 1985 Regular Session (Acts 1985, p. 332), relating to

levying an additional sales tax, so as to provide further for the termination of any tax levied under the authority of this act.

Also:

H. 994. Relating to Russell County; to provide that the county commission may authorize two additional deputies to be employed by the sheriff.

Also:

H. 995. Relating to selling and redeeming lands for taxes in Russell County, Alabama.

Also:

H. 938. Relating to Bullock County; providing further for the expense allowances for certain county officials to be paid at the discretion of the county commission.

Also:

H. 983. Relating to Barbour County, to authorize the county commission to levy and collect certain taxes and fees, and to provide for the disposition of any proceeds from such taxes and fees.

Also:

H. 987. Relating to Macon County; providing for an elected chairman for the Macon County Commission; prescribing procedures for the election of such chairman; prescribing procedure whereby the county commission shall decide whether such elected chairman shall be a part-time chairman or a full-time chairman; prescribing the salary and term of office of such county commission chairman; providing a certain expense allowance for such county commission chairman; providing for an interim chairman of the county commission if one becomes necessary and providing that this act shall have certain supplemental effect.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 152. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board for Registration of Architects as provided in Section 34-2-38 specifically, and as provided in Sections 34-2-30 through 34-2-42 generally, of the Code of Alabama 1975, with certain modifications; to amend Sections 34-2-32, 34-2-33, 34-2-35, and 34-2-40, so as to provide further certain structures to which Article 2 of Title 34 does not apply; to provide further for the qualifications of applicants of the board and the fees and renewal fees of the board's licenses; to provide for the licensing of corporations and partnerships; to prohibit certain practices; and to provide further for meetings and officers of the board.

by a majority of the whole number elected to the Senate, said vote being Yeas: 18; Nays 0.

And said Bill, H. B. 152, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1084. Relating to Sumter County; to establish in the county treasury an Indigent Health Care Fund to be funded by a portion of the proceeds from certain taxes levied in the county; to create an Indigent Health Care Committee and to provide for appointment of membership; and to authorize such committee to manage, approve and make disbursement of such fund for purpose of indigent health care.

Also:

H. 1085. Relating to Sumter County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

Also:

H. 1087. Relating to Sumter County; authorizing the Sumter County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

H. 1097. Relating to Henry County; providing for the appointment of the county superintendent of education, and providing for a referendum on the question of whether the electors of the county favor the appointment of the county superintendent of education.

Also:

H. 1099. Relating to Greene County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 513. Relating to Jefferson County, authorizing the Jefferson County Coroner-Medical Examiner's Office to take corneal tissue during the course of autopsy proceedings.

Also:

H. 1018. Establishing the powers and authority and requirements of district attorney's investigators of the twenty-seventh judicial circuit of Alabama.

Also:

H. 1031. Relating to Marshall County; to amend Section 1 of Act No. 588, S. 838, 1977 Regular Session (Acts 1977, p. 781), which provides for the sheriff's employees and deputies, so as to provide further for their number, compensation and clothing allowance; to repeal conflicting acts including Acts No. 621, S. 720, and No. 630, H. 1289, 1976 Regular Session (1976 Acts, pgs. 854 and 868).

Also:

H. 1033. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gordon, in Houston County.

Also:

H. 1035. To promote the maintenance of Cleburne County's natural beauty by eliminating unsightly and unhealthy litter; to provide that certain identifiable litter constitutes prima facie evidence of littering by the person with whom it can be identified; to grant power and authority to the Cleburne County Health Department to enforce littering laws in Cleburne County; and to prescribe fines for violations.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1079. Relating to Sumter County; levying a lodging tax, providing for the collection and distribution of said tax.

Also:

H. 1080. Relating to Sumter County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

McDOWELL LEE,
Secretary.

S. 147 RESUMED

AMENDMENT OFFERED

Rep. Brooks offered the following amendment to the bill, S. 147:

Amend S. B. 147 on page 5, Section 4, line(s) by striking the following:

Section 4

and renumbering the subsequent sections accordingly.

AMENDMENT TABLED

On motion of Rep. Johnson (RW), the amendment offered by Rep. Brooks to the bill, S. 147, was tabled.

Yeas 41; Nays 38.

Yeas:

Reps. Biddle, Box, Breedlove, Britnell, Campbell, Carter, Cosby, Curry, Davis, Dillard, Escott, Faulk, Gaston, Grouby, Hamilton, Harper, Higginbotham, Hill, Johnson (RW), Kennedy, Knight, Kvalheim, Layson, Logan, Marietta, Marks, Mathis, McClain, McMillan, Melton, Newman, Parker, Perdue, Petelos, Reed, Slaughter, Spratt, Warren, White (G), Wright and Zoghby.

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Nays:

Reps. Beasley, Beers, Blakeney, Brooks, Bugg, Burke, Buskey (JE), Butler, Carothers, Clark (W), Crow, Frazier, Freeman, Grayson, Hall, Haynes, Hettinger, Hogan, Holley, Johnson (RG), Junkins, Laird, Lindsey, McDowell, McKee, Payne, Poole, Rains, Richardson, Rogers, Seibels, Starkey, Thomas, Turner, Walker, White (F), White (L) and Willis.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 926. Providing for a medical examiner system for the investigation of certain types of deaths in Mobile County, Alabama; abolishing the office of county coroner; prescribing the manner of appointment, qualifications, powers and duties of the county medical examiner; prescribing procedures and requirements relating to postmortem examinations and autopsies of deaths occurring under certain circumstances in the county; requiring that certain deaths shall be reported to either the county medical examiner or a law enforcement agency in said county; providing protection from civil and criminal liability for such medical examiners properly performing their duties; transferring funds and equipment to the medical examiner system; requiring annual reports on such system to be submitted to the county governing body; imposing criminal penalties for certain violations of this act; and specifically repealing: Act No. 871, H. 1115 Regular Session 1951; Act No. 462, H. 862 Regular Session 1951; Act No. 563, S. 427 Regular Session 1943; Act No. 35, H. 198 and Act No. 36, H. 199 Special Session 1933; and Act No. 153, Regular Session 1866, all relating to the coroner or the operation of the coroner's office in Mobile County.

Also:

H. 1044. Amending Section 1 of Act No. 23, H. 140, Local Acts 1943 (Local Acts 1943, p. 14), as amended, which provides for the election of the Coosa County Superintendent of Education, so as to fill such office by appointment of the county board of education; providing for referendum; and repealing Section 2 of said act relating to the election of such office.

Also:

H. 1082. Relating to Sumter County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Sumter County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Sumter County Commission for the collection of said taxes.

Also:

H. 1083. Relating to Greene County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1036. To authorize a procedure whereby the Sheriff of Cleburne County, Alabama, shall offer for public auction to the highest bidder for cash abandoned and stolen personal and unidentifiable property which has been recovered by the Sheriff's Department of Cleburne County and stored by said Department but which has been unclaimed after six (6) months; to provide that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two (2) weeks in a newspaper of general circulation published in Cleburne County, Alabama, or by posting in a conspicuous place at the Cleburne County Courthouse; to provide that the first publication or posting of said notice shall be twenty (20) days before the said auction; to provide a procedure for the conduct of said auction; to provide that the owner of any of the abandoned or stolen property recovered and stored by the Sheriff of Cleburne County, Alabama, may redeem the same at any time prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the general fund of Cleburne County, Alabama.

Also:

H. 1039. Proposing an amendment to the Constitution of 1901, as amended, relating to Morgan County and the levy of ad valorem taxes which exist or which hereafter are enacted.

Also:

H. 1040. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the

Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

Also:

H. 1041. Relating to Morgan County; to authorize the Morgan County Commission to impose an additional excise tax on persons, corporations, partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county not to exceed one (1) cent additional tax per gallon; to provide for the collection and payment of such taxes and to provide the distribution and the use of the funds derived therefrom; to authorize the Morgan County Commission to make reasonable rules and regulations for the collection of such taxes, and to provide the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Morgan County Commission for the collection of said taxes; and to provide such taxes shall be supplemental to any and all other such taxes.

Also:

H. 1056. Relating to Marshall County; providing that the Marshall County Commission shall be authorized to levy sales and use taxes paralleling the state sales and use taxes with the same exemptions and exclusions for the purpose of funding public education; providing for the collection of the revenue from said taxes; providing that there shall be excluded from any such levy any incorporated municipality in Marshall County in which the general administration and supervision of public schools shall be vested in a city board of education; and providing for the discretionary holding of an advisory referendum.

Also:

H. 1057. Relating to Marshall County; approving an increase of the district ad valorem school tax presently being levied pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 at the adjusted rate of three and one-half mills in the City of Arab School District (the boundaries of which district are coterminous with the corporate limits of said city) in Marshall County from the present millage to thirteen mills, all in accordance with Amendment No. 373 to said Alabama Constitution; such increased district ad valorem tax to be levied and collected by the governing body of Marshall County for each year beginning with the levy for the tax year ending September 30, 1988 (the tax for which year will be due and payable October 1, 1988) and ending with the levy for the tax year ending September 30, 1992 (the tax for which year will be due and payable October 1, 1992) for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of said City of Arab School District at a special election called and held in accordance with the laws governing special elections.

Also:

H. 1058. Relating to Marshall County; authorizing an increase in the district ad valorem school tax presently being levied pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 at the adjusted

rate of three and one-half mills in the Marshall County School Tax District (commonly referred to as District No. 1 and consisting of all of said county except the City of Guntersville, the City of Albertville and the City of Arab school districts) in said county in accordance with Amendment No. 373 to said Constitution of Alabama 1901; providing that such increased district ad valorem tax shall be levied and collected by the governing body of Marshall County for each year beginning with the levy for the tax year ending September 30, 1988 (the tax for which year shall be due and payable October 1, 1988) and ending with the levy for the tax year ending September 30, 1992 (the tax for which year shall be due and payable October 1, 1992) for public school purposes and providing that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of said Marshall County School Tax District in a special referendum election called and held for such purpose in accordance with the laws governing special elections.

Also:

H. 1060. Relating to Lawrence County; to levy an additional filing fee in all cases filed in the probate, municipal, district or circuit courts of the county to be deposited in the Lawrence County Law Library Fund.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 980. To propose an amendment to the Constitution of Alabama 1901, as amended, for Greene County to provide further for filling certain vacancies in certain county offices.

Also:

H. 1100. Relating to Greene County; authorizing the Greene County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

H. 1101. Relating to Greene County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two (2) cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Greene County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Greene County Commission for the collection of said taxes.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 742. To authorize the City of Tuscaloosa, Tuscaloosa County, Alabama, to establish an Enterprise Zone in the area of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such city, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zone, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zone, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such city or private entities within such zone under any Act of the Congress of the United States heretofore or hereafter enacted.

Also:

H. 977. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Huntsville, in Madison County.

Also:

H. 999. Relating to Lauderdale County, to provide further for the compensation of the members of the county board of education, to provide retroactive effect and to repeal certain acts.

Also:

H. 1009. Relating to Marshall County; requiring all lodging facilities located in Lake Guntersville State Park to collect certain lodgings taxes as provided by law.

Also:

H. 1013. To fix the fee for the issuance of pistol permits in Marshall County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

Also:

H. 1016. Relating to Cullman County; providing for the county governing body to reimburse the offices of the revenue commissioner and the probate judge for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing that such funds shall be payable from the general fund of the county.

Also:

H. 1017. Relating to Marshall County; authorizing the Marshall County Commission to levy an additional county privilege, license, or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and distribution of the proceeds therefor; providing

for an advisory referendum on the issue of adding such additional county tax; prescribing misdemeanor penalties against those who violate the provisions of this act; and construing that the provisions of this act are cumulative.

Also:

H. 1088. Relating to Lowndes County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two (2) cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Lowndes County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Lowndes County Commission for the collection of said taxes.

Also:

H. 1090. Relating to Lowndes County; authorizing the Lowndes County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

H. 1091. Relating to Lowndes County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker Pro Tem of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

S. 147 RESUMED

AMENDMENT OFFERED

Rep. Holley offered the following amendment to the bill, S. 147:

Amend S. B. 147 on page 5, line 17 by inserting the following new Section 4 and renumbering all subsequent sections accordingly:

"Section 4. The provisions of this act shall not apply to any highway or street under the jurisdiction of the state of Alabama or any political subdivision thereof except highways and streets posted with a speed limit of 65 miles per hour."

AMENDMENT TABLED

On motion of Rep. Johnson (RW), the amendment offered by Rep. Holley to the bill, S. 147, was tabled.

Yeas 42; Nays 32.

Yeas:

Reps. Biddle, Box, Breedlove, Britnell, Brooks, Campbell, Carter, Cosby, Curry, Dillard, Escott, Faulk, Freeman, Fuller, Gaston, Grouby, Hamilton, Harper, Higginbotham, Hill, Johnson (RW), Kennedy, Knight, Kvalheim, Logan, Marks, Mathis, McClain, McMillan, Melton, Newman, Parker, Perdue, Petelos, Reed, Rogers, Seibels, Slaughter, Spratt, Warren, White (G) and Zoghby.

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Nays:

Reps. Beasley, Blakeney, Bugg, Burke, Buskey (JE), Butler, Carothers, Crow, Frazier, Grayson, Hall, Haynes, Hettinger, Hogan, Holley, Johnson (RG), Junkins, Lindsey, McDowell, McKee, Mikell, Moon, Payne, Poole, Rains, Richardson, Starkey, Turner, Walker, White (F), White (L) and Willis.

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SUBSTITUTE OFFERED

Rep. McKee offered the following substitute to the bill, S. 147:

A BILL
TO BE ENTITLED
AN ACT

To provide for the "Alabama Safety Belt Use Act of 1986"; to require front seat occupants of passenger cars to wear safety belts; to exempt certain persons from the provisions of this act; to prescribe a penalty for violation of the provisions of the act; and to provide for a phased-in implementation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the "Alabama Safety Belt Use Act of 1987."

Section 2. For purposes of this act, the term "passenger car" means a motor vehicle with motive power designed for carrying ten or fewer passengers. Such term does not include a motorcycle or a trailer.

Section 3. The legislature finds that it is the policy of the state of Alabama that all precautionary measures be taken to save the lives of the state's citizens from vehicle accidents and thereby, to preserve the most valuable resource of the state.

Section 4. (a) Each front seat occupant of a passenger car manufactured with safety belts in compliance with Federal Motor Vehicle Safety Standard No. 208 shall have a safety belt properly fastened about his body at all times when the vehicle is in motion.

(b) The provisions of subsection (a) of this section shall not apply to:

(1) A child passenger using a child passenger restraint system pursuant to Section 32-5-222, Code of Alabama 1975.

(2) An occupant of a passenger car who possesses a written statement from a licensed physician that he is unable for medical reasons to wear a safety belt.

(3) A rural letter carrier of the United States Postal Service while performing his duties as a rural letter carrier.

(4) Passengers in a passenger car with a model year prior to 1965.

(5) Passengers in motor vehicles which normally operate in reverse.

Section 5. Any person violating the provisions of this act may be fined up to $20.00.

Section 6. Failure to wear a safety belt in violation of this act shall not be considered evidence of contributory negligence and shall not limit the liability of an insurer.

Section 7. The period from the effective date of this act until twelve months thereafter shall be a warning period in which persons who violate the provisions of this act shall be issued a warning citation by the proper law enforcement officer, but no monetary fine shall be assessed against the offender. At the conclusion of the said warning period all provisions of this act shall be in full force and effect.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are hereby repealed.

Section 10. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MOTION TO INDEFINITELY POSTPONE

Rep. Carothers offered the motion to indefinitely postpone the substitute offered by Rep. McKee to the bill, S. 147.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

H. B. 152. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board for Registration of Architects as provided in Section 34-2-38 specifically, and as provided in Sections 34-2-30 through 34-2-42 generally, of the Code of Alabama 1975, with certain modifications; to amend Sections 34-2-32, 34-2-33, 34-2-35, and 34-2-40, so as to provide further certain structures to which Article 2 of Title 34 does not apply; to provide further for the qualifications of applicants of the board and the fees and renewal fees of the board's licenses; to provide for the licensing of corporations and partnerships; to prohibit certain practices; and to provide further for meetings and officers of the board.

And finds same correctly enrolled with Executive Amendment.

TOMMY CARTER,
Chairman.

SIGNING OF BILL

The Speaker Pro Tem of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 184. To amend Sections 12-19-71, 12-19-72, 12-19-73, 12-19-74, 12-19-75, 12-19-171, 12-19-172, 12-19-173, 12-19-174, 12-19-175, 12-19-176, 12-19-178, 12-19-179 and 12-14-14, Code of Alabama 1975, to increase the fees and costs in circuit, district, and municipal courts; to further provide for the distribution of fees and costs in circuit, district and municipal courts so as to enhance that portion of the fees and costs that are distributed to the state general fund, to the various county general funds, and to municipalities; to further provide for the costs assessed in municipal courts; to provide for the appropriation from the State General Fund of the increase in said fees and costs that are distributed to the State General Fund; to repeal all laws or parts of laws in conflict herewith; and to provide for the effective date of this Act.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILL

The Speaker Pro Tem of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 513. Relating to Jefferson County, authorizing the Jefferson County Coroner-Medical Examiner's Office to take corneal tissue during the course of autopsy proceedings.

Also:

H. 926. Providing for a medical examiner system for the investigation of certain types of deaths in Mobile County, Alabama; abolishing the office of county coroner; prescribing the manner of appointment, qualifications, powers and duties of the county medical examiner; prescribing procedures

and requirements relating to postmortem examinations and autopsies of deaths occurring under certain circumstances in the county; requiring that certain deaths shall be reported to either the county medical examiner or a law enforcement agency in said county; providing protection from civil and criminal liability for such medical examiners properly performing their duties; transferring funds and equipment to the medical examiner system; requiring annual reports on such system to be submitted to the county governing body; imposing criminal penalties for certain violations of this act; and specifically repealing: Act No. 871, H. 1115 Regular Session 1951; Act No. 462, H. 862 Regular Session 1951; Act No. 563, S. 427 Regular Session 1943; Act No. 35, H. 198 and Act No. 36, H. 199 Special Session 1933; and Act No. 153, Regular Session 1866, all relating to the coroner or the operation of the coroner's office in Mobile County.

Also:

H. 938. Relating to Bullock County; providing further for the expense allowances for certain county officials to be paid at the discretion of the county commission.

Also:

H. 980. To propose an amendment to the Constitution of Alabama 1901, as amended, for Greene County to provide further for filling certian vacancies in certain county offices.

Also:

H. 983. Relating to Barbour County, to authorize the county commission to levy and collect certain taxes and fees, and to provide for the disposition of any proceeds from such taxes and fees.

Also:

H. 987. Relating to Macon County; providing for an elected chairman for the Macon County Commission; prescribing procedures for the election of such chairman; prescribing procedure whereby the county commission shall decide whether such elected chairman shall be a part-time chairman or a full-time chairman; prescribing the salary and term of office of such county commission chairman; providing a certain expense allowance for such county commission chairman; providing for an interim chairman of the county commission if one becomes necessary and providing that this act shall have certain supplemental effect.

Also:

H. 993. Relating to Russell County; to amend Section 8 of Act No. 85-386, H. 540 of the 1985 Regular Session (Acts 1985, p. 332), relating to levying an additional sales tax, so as to provide further for the termination of any tax levied under the authority of this act.

Also:

H. 994. Relating to Russell County; to provide that the county commission may authorize two additional deputies to be employed by the sheriff.

Also:

H. 995. Relating to selling and redeeming lands for taxes in Russell County, Alabama.

Also:

H. 1018. Establishing the powers and authority and requirements of districts attorney's investigators of the twenty-seventh judicial circuit of Alabama.

Also:

H. 1031. Relating to Marshall County; to amend Section 1 of Act No. 588, S. 838, 1977 Regular Session (Acts 1977, p. 781), which provides for the sheriff's employees and deputies, so as to provide further for their number, compensation and clothing allowance; to repeal conflicting acts including Acts No. 621, S. 720, and No. 630, H. 1289, 1976 Regular Session (1976 Acts, pgs. 854 and 868).

Also:

H. 1033. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gordon, in Houston County.

Also:

H. 1035. To promote the maintenance of Cleburne County's natural beauty by eliminating unsightly and unhealthy litter; to provide that certain identifiable litter constitutes prima facie evidence of littering by the person with whom it can be identified; to grant power and authority to the Cleburne County Health Department to enforce littering laws in Cleburne County; and to prescribe fines for violations.

Also:

H. 1036. To authorize a procedure whereby the Sheriff of Cleburne County, Alabama shall offer for public auction to the highest bidder for cash abandoned and stolen personal and unidentifiable property which has been recovered by the Sheriff's Department of Cleburne County and stored by said Department but which has been unclaimed after six (6) months; to provide that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two (2) weeks in a newspaper of general circulation published in Cleburne County, Alabama, or by posting in a conspicuous place at the Cleburne County Courthouse; to provide that the first publication or posting of said notice shall be twenty (20) days before the said auction; to provide a procedure for the conduct of said auction; to provide that the owner of any of the abandoned or stolen property recovered and stored by the Sheriff of Cleburne County, Alabama, may redeem the same at any time prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the general fund of Cleburne County, Alabama.

Also:

H. 1039. Proposing an amendment to the Constitution of 1901, as amended, relating to Morgan County and the levy of ad valorem taxes which exist or which hereafter are enacted.

Also:

H. 1040. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the

Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

Also:

H. 1041. Relating to Morgan County; to authorize the Morgan County Commission to impose an additional excise tax on persons, corporations, partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county not to exceed one (1) cent additional tax per gallon; to provide for the collection and payment of such taxes and to provide the distribution and the use of the funds derived therefrom; to authorize the Morgan County Commission to make reasonable rules and regulations for the collection of such taxes, and to provide the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Morgan County Commission for the collection of said taxes; and to provide such taxes shall be supplemental to any and all other such taxes.

Also:

H. 1044. Amending Section 1 of Act No. 23, H. 140, Local Acts 1943 (Local Acts 1943, p. 14), as amended, which provides for the election of the Coosa County Superintendent of Education, so as to fill such office by appointment of the county board of education; providing for referendum; and repealing Section 2 of said act relating to the election of such office.

Also:

H. 1056. Relating to Marshall County; providing that the Marshall County Commission shall be authorized to levy sales and use taxes paralleling the state sales and use taxes with the same exemptions and exclusions for the purpose of funding public education; providing for the collection of the revenue from said taxes; providing that there shall be excluded from any such levy any incorporated municipality in Marshall County in which the general administration and supervision of public schools shall be vested in a city board of education; and providing for the discretionary holding an advisory referendum.

Also:

H. 1057. Relating to Marshall County; approving an increase of the district ad valorem school tax presently being levied pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 at the adjusted rate of three and one-half mills in the City of Arab School District (the boundaries of which district are coterminous with the corporate limits of said city) in Marshall County from the present millage to thirteen mills, all in accordance with Amendment No. 373 to said Alabama Constitution; such increased district ad valorem tax to be levied and collected by the governing body of Marshall County for each year beginning with the levy for the tax year ending September 30, 1988 (the tax for which year will be due and payable October 1, 1988) and ending with the levy for the tax year ending September 30, 1992 (the tax for which year will be due and payable October 1, 1992) for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of said City

of Arab School District at a special election called and held in accordance with the laws governing special elections.

Also:

H. 1058. Relating to Marshall County; authorizing an increase in the district ad valorem school tax presently being levied pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 at the adjusted rate of three and one-half mills in the Marshall County School Tax District (commonly referred to as District No. 1 and consisting of all of said county except the City of Guntersville, the City of Albertville and the City of Arab school districts) in said county in accordance with Amendment No. 373 to said Constitution of Alabama 1901; providing that such increased district ad valorem tax shall be levied and collected by the governing body of Marshall County for each year beginning with the levy for the tax year ending September 30, 1988 (the tax for which year shall be due and payable October 1, 1988) and ending with the levy for the tax year ending September 30, 1992 (the tax for which year shall be due and payable October 1, 1992) for public school purposes and providing that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of said Marshall County School Tax District in a special referendum election called and held for such purpose in accordance with the laws governing special elections.

Also:

H. 1060. Relating to Lawrence County; to levy an additional filing fee in all cases filed in the probate, municipal, district or circuit courts of the county to be deposited in the Lawrence County Law Library Fund.

Also:

H. 1079. Relating to Sumter County; levying a lodging tax, providing for the collection and distribution of said tax.

Also:

H. 1082. Relating to Sumter County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Sumter County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Sumter County Commission for the collection of said taxes.

Also:

H. 1083. Relating to Greene County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

Also:

H. 1084. Relating to Sumter County; to establish in the county treasury an Indigent Health Care Fund to be funded by a portion of the proceeds

from certain taxes levied in the county; to create an Indigent Health Care Committee and to provide for appointment of membership; and to authorize such committee to manage, approve and make disbursement of such fund for purpose of indigent health care.

Also:

H. 1085. Relating to Sumter County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

Also:

H. 1080. Relating to Sumter County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker Pro Tem of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1087. Relating to Sumter County; authorizing the Sumter County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

H. 1097. Relating to Henry County; providing for the appointment of the county superintendent of education, and providing for a referendum on the question of whether the electors of the county favor the appointment of the county superintendent of education.

Also:

H. 1099. Relating to Greene County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

Also:

H. 1100. Relating to Greene County; authorizing the Greene County Commission to levy a county privilege, license, or excise tax on the sale,

distribution, storage, use, or other comsumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

H. 1101. Relating to Greene County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two (2) cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Greene County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Greene County Commission for the collection of said taxes.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker Pro Tem of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Buskey (JE), Kennedy, and Clark (W):

H. R. 473. MOURNING THE DEATH OF THE REVEREND MARSHALL FOCH ROBINSON OF MOBILE, ALABAMA.

S. 147 RESUMED

The question was on the motion offered by Rep. Carothers to indefinitely postpone the substitute offered by Rep. McKee to the bill, S. 147.

SUBSTITUTE MOTION ADOPTED

Rep. Carothers offered the substitute motion to temporarily postpone his motion to indefinitely postpone the substitute offered by Rep. McKee, and the substitute motion was adopted.

RESOLUTION

The following resolution was introduced:

By Rep. Campbell:

H. J. R. 474. RELATIVE TO MEETING DAYS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn on the 29th

Legislative day, that we adjourn to meet again on August 3, 1987, and that when we adjourn on August 3, 1987, we adjourn sine die.

On motion of Rep. Campbell, the rules were suspended and the resolution, H. J. R. 474, was adopted.

S. 147 RESUMED

The question was on the motion offered by Rep. Carothers to indefinitely postpone the substitute offered by Rep. McKee to the bill, S. 147.

SUBSTITUTE MOTION ADOPTED

Rep. Kvalheim offered the substitute motion to temporarily postpone the motion offered by Rep. Carothers to indefinitely postpone the substitute offered by Rep. McKee, and the substitute motion was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Kvalheim, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1115.

Yeas 64; Nays 2.

Yeas:

Reps. Biddle, Black, Blakeney, Britnell, Brooks, Bugg, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Crow, Davis, Dillard, Flowers, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Harper, Haynes, Hettinger, Hill, Hogan, Holley, Johnson (RG), Johnson (RW), Junkins, Kennedy, Laird, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Poole, Rains, Reed, Richardson, Rogers, Seibels, Spratt, Turner, Turnham, Walker, Warren, White (F), White (L), Williams, Willis and Zoghby.

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Nays: Mr. Speaker and Higginbotham. —2

BUDGET ISOLATION RESOLUTION

On motion of Rep. Kvalheim, Budget Isolation Resolution relating to H. B. 1115, was adopted.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker, Beasley, Black, Blakeney, Britnell, Brooks, Bugg, Buskey (JE), Buskey (JL), Carothers, Clark (W), Crow, Curry, Davis, Dillard, Faulk, Flowers, Frazier, Freeman, Gaston, Grayson, Grouby, Hamilton, Harper, Haynes, Hettinger, Hogan, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Logan, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Spratt, Starkey, Thomas, Turner, Walker, Warren, White (F), White (G), White (L), Willis and Zoghby.

—63

And the bill:

H. 1115. Relating to the Alabama Department of Forensic Sciences; to authorize the transfer of two drug chemists from the Mobile City Laboratory

into the Alabama Department of Forensic Sciences Mobile Laboratory; to authorize their appointment from the Certified List of Eligibles regardless of their standing on the list and to provide for any accrued retirement benefits to be handled as per current law.

WHEREAS, the City of Mobile Police Department now funds and operates a city drug laboratory in Mobile; and

WHEREAS, the Alabama Department of Forensic Sciences now funds and operates a similar drug laboratory in Mobile; and

WHEREAS, the Alabama Department of Forensic Sciences provides drug chemistry testing and other forensic services to all other Alabama cities and counties; and

WHEREAS, the City of Mobile and the Alabama Department of Forensic Sciences desire to reduce taxpayer costs; and

WHEREAS, both agencies desire to consolidate the drug chemistry laboratories in Mobile; and

WHEREAS, the two city employees are now on the appropriate Merit System register of qualified applicants; and

WHEREAS, the acceptance of the two employees will not violate, but indeed will enhance the pertinent federal court order on state hiring; now therefore,

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker, Beasley, Biddle, Black, Blakeney, Britnell, Brooks, Bugg, Buskey (JE), Buskey (JL), Carothers, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Harper, Haynes, Hettinger, Hogan, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Walker, Warren, White (F), White (G), White (L), Willis and Zoghby.

—71

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Flowers, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1116.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Flowers, Budget Isolation Resolution relating to H. B. 1116, was adopted.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Biddle, Black, Blakeney, Britnell, Brooks, Bugg, Buskey (JE), Buskey (JL), Carothers, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Flowers,

Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Harper, Hettinger, Hogan, Johnson (RG), Kennedy, Logan, Marks, Mathis, McClain, McDowell, McKee, Mikell, Moon, Parker, Rains, Reed, Rogers, Seibels, Slaughter, Turnham, Walker, White (F), White (G), White (L), Willis and Zoghby.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1116. Relating to the City of Brundidge, in Pike County, Alabama, so as to adopt a mayor-council form of government; to create new council districts; to set the salaries of council members and the mayor; to make the provisions of this act remedial and retroactive; and to repeal all conflicting laws inconsistent with this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker, Biddle, Black, Blakeney, Britnell, Brooks, Bugg, Buskey (JE), Buskey (JL), Clark (W), Cosby, Crow, Curry, Davis, Dillard, Flowers, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Harper, Hettinger, Hogan, Kennedy, Knight, Logan, Marks, McClain, McDowell, McKee, Mikell, Moon, Parker, Payne, Petelos, Rains, Reed, Rogers, Seibels, Slaughter, Starkey, Turner, Turnham, Walker, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—54

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Flowers, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1111.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Flowers, Budget Isolation Resolution relating to H. B. 1111, was adopted.

Yeas 46; Nays 0.

Yeas:

Mr. Speaker, Black, Blakeney, Britnell, Brooks, Bugg, Buskey (JE), Buskey (JL), Butler, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Flowers, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Harper, Hettinger, Hogan, Kennedy, Knight, Logan, Marks, McClain, Mikell, Parker, Payne, Petelos, Rains, Reed, Seibels, Slaughter, Turnham, Walker, White (F), White (G), Willis, Wright and Zoghby.

—46

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1111. Relating to the City of Troy in Pike County; levying and imposing an additional ad valorem tax in said city to be used for educational purposes and providing for a referendum.

Was taken up.

AMENDMENT OFFERED

Rep. Flowers offered the following amendment to the bill, H. 1111:

On page 2, lines 5 and 6, delete the language "local law passed at the 1987 Regular Session of the Legislature," and insert in lieu thereof:

proposal by the Troy City Council

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 45; Nays 0.

Yeas:

Mr. Speaker, Black, Britnell, Brooks, Bugg, Buskey (JL), Butler, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Frazier, Freeman, Gaston, Grouby, Hall, Hamilton, Harper, Hettinger, Hogan, Kennedy, Knight, Logan, Marks, Mathis, McClain, McKee, Moon, Parker, Payne, Petelos, Rains, Reed, Rogers, Slaughter, Turnham, Walker, White (F), White (G), Willis and Wright.

—45

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1111 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 0.

Yeas:

Mr. Speaker, Biddle, Black, Blakeney, Britnell, Brooks, Buskey (JL), Butler, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Frazier, Freeman, Gaston, Grouby, Hall, Hamilton, Harper, Harvey, Hettinger, Hogan, Kennedy, Knight, Logan, Marks, Mathis, McClain, McKee, Mikell, Moon, Parker, Payne, Petelos, Rains, Reed, Rogers, Slaughter, Turnham, Walker, White (F), White (G), Willis and Wright.

—48

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Lindsey, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1110.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Lindsey, Budget Isolation Resolution relating to H. B. 1110, was adopted.

Yeas 36; Nays 0.

Yeas:

Mr. Speaker, Britnell, Brooks, Bugg, Butler, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Frazier, Freeman, Gaston, Hamilton, Harvey, Hettinger, Hogan, Knight, Logan, Marks, Mathis, McClain, McKee, Moon, Parker, Payne, Rains, Reed, Spratt, Starkey, Turnham, Walker, White (G), Willis and Wright.

—36

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1110. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Leesburg, in Cherokee County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 47; Nays 0.

Yeas:

Mr. Speaker, Blakeney, Britnell, Brooks, Bugg, Buskey (JL), Butler, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Frazier, Gaston, Hamilton, Harvey, Hettinger, Hogan, Junkins, Knight, Lindsey, Logan, Marks, Mathis, McClain, McKee, Mikell, Moon, Parker, Payne, Petelos, Rains, Reed, Rogers, Seibels, Slaughter, Starkey, Turnham, Walker, White (F), White (G), Willis, Wright and Zoghby.

—47

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1006. Relating to Mobile County; directing and requiring the county governing body to provide for holding an advisory election relative to the question of alternative methods of levying additional county taxes to raise revenue for the Mobile County school board for purposes of public education.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Turner, the House concurred in and adopted the Senate amendment to the bill, H. 1006, said Senate amendment being as follows:

Amend House Bill 1006, page 1, Section 1, line 36 by striking out line 36 in its entirety.

Yeas 44; Nays 0.

Yeas:

Mr. Speaker, Blakeney, Britnell, Brooks, Bugg, Buskey (JE), Butler, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Frazier, Freeman, Gaston, Hamilton, Harvey, Hettinger, Hogan, Kennedy, Knight, Logan, Marks, McClain, Melton, Moon, Parker, Payne, Petelos, Rains, Reed, Rogers, Seibels, Slaughter, Spratt, Starkey, Turner, Turnham, Walker, White (F), White (G), Wright and Zoghby.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

S. 147 RESUMED

The question was then on the motion offered by Rep. Carothers to indefinitely postpone the substitute offered by Rep. McKee to the bill, S. 147.

SUBSTITUTE MOTION TO TEMPORARILY POSTPONE

Rep. Box offered the substitute motion to postpone consideration of the bill, S. 147, and the pending substitute to the Call of the Chair.

MOTION TO TABLE LOST

The motion offered by Rep. Carothers to table the substitute motion offered by Rep. Box, was lost.

Yeas 35; Nays 42.

Yeas:

Reps. Black, Blakeney, Brooks, Bugg, Burke, Buskey (JE), Butler, Carothers, Clark (W), Crow, Escott, Flowers, Frazier, Freeman, Grayson, Hall, Haynes,

Hettinger, Hogan, Holley, Johnson (RG), Junkins, Laird, Lindsey, McDowell, McKee, Mikell, Payne, Poole, Rains, Richardson, Seibels, White (F), White (L) and Williams.

—35

Nays:

Mr. Speaker, Biddle, Box, Britnell, Buskey (JL), Campbell, Carter, Cosby, Curry, Davis, Dillard, Faulk, Fuller, Gaston, Grouby, Hamilton, Harper, Harvey, Higginbotham, Hooper, Johnson (RW), Kennedy, Knight, Logan, Marietta, Marks, Mathis, McMillan, Moon, Newman, Parker, Perdue, Petelos, Reed, Rogers, Slaughter, Spratt, Starkey, Turnham, Warren, White (G) and Zoghby.

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SUBSTITUTE MOTION TO TEMPORARILY POSTPONE ADOPTED

Rep. Holley offered the substitute motion to temporarily postpone consideration of the bill, S. 147, and the pending substitute, and the substitute motion was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Parker, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, H. 1117.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Parker, Budget Isolation Resolution relating to H. B. 1117, was adopted.

Yeas 53; Nays 0

Yeas:

Mr. Speaker, Biddle, Blakeney, Britnell, Brooks, Bugg, Buskey (JE), Buskey (JL), Carter, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Flowers, Frazier, Fuller, Gaston, Grayson, Grouby, Hall, Hamilton, Hettinger, Higginbotham, Hogan, Holley, Holmes, Johnson (RW), Junkins, Kennedy, Knight, Laird, Logan, Mathis, McDowell, McKee, Melton, Mikell, Moon, Newman, Parker, Payne, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Starkey, Turnham, Walker and Zoghby.

—53

And the bill:

H. 1117. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker, Biddle, Black, Blakeney, Britnell, Brooks, Bugg, Buskey (JE), Buskey (JL), Butler, Carter, Clark (W), Crow, Curry, Dillard, Faulk, Flowers, Frazier, Fuller, Gaston, Grayson, Grouby, Hall, Hamilton, Harvey, Hettinger, Higginbotham, Hogan, Holley, Holmes, Junkins, Kennedy, Knight, Laird, Lindsey, Logan, Marks, Mathis, McClain, McKee, Melton, Mikell, Moon, Newman, Parker, Payne, Petelos, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Turnham, Walker, White (F), White (G), White (L), Willis and Zoghby.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 474. RELATIVE TO MEETING DAYS.

McDOWELL LEE,
Secretary.

S. 147 RESUMED

The question was then on the substitute motion offered by Rep. Box to postpone consideration of the bill, S. 147, and the pending substitute to the Call of the Chair.

SUBSTITUTE MOTION TO SUBSTITUTE MOTION OFFERED

Rep. Butler offered the substitute motion to the substitute motion offered by Rep. Box to indefinitely postpone the bill, S. 147 and the pending substitute.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills and House Joint Resolution mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Secretary of State at 3:55 P. M. on July 16, 1987.

H. 863 (CONSTITUTIONAL AMENDMENT)

Delivered to the Governor at 4:00 P. M. on July 16, 1987.

H. 549	H. 972
H. 826	H. 996
H. 858	H. 997
H. 859	H. 1003
H. 860	H. 1004

H. 862	H. 1012
H. 888	H. 1014
H. 899	H. 1028
H. 912	H. 1029
H. 919	H. 1030
H. 927	H. 1055
H. 928	H. 1062
H. 929	H. 1071
H. 952	H. 1072
H. 961	H. 1105

Delivered to the Governor at 10:55 P. M. on July 16, 1987.

H. 481	H. J. R. 445	H. 1035
H. 712	H. 742	H. 1036
H. 752	H. 977	H. 1040
H. 783	H. 999	H. 1041
H. 798	H. 1009	H. 1044
H. 856	H. 1013	H. 1056
H. 924	H. 1016	H. 1057
H. 302	H. 1017	H. 1058
H. 785	H. 1088	H. 1060
H. 808	H. 1090	H. 1079
H. 857	H. 1091	H. 1082
H. 894	H. 513	H. 1083
H. 922	H. 926	H. 1084
H. 930	H. 938	H. 1085
H. 933	H. 983	H. 1080
H. 945	H. 987	H. 1087
H. 946	H. 993	H. 1097
H. 947	H. 994	H. 1099
H. 954	H. 995	H. 1100
H. 955	H. 1018	H. 1101
H. 956	H. 1031	H. 184
H. 962	H. 1033	H. 152 (EXECUTIVE AMENDMENT)
H. 971		

Delivered to the Secretary of State at 11:00 P. M. on July 16, 1987.

H. 980 (CONSTITUTIONAL AMENDMENT)

H. 1039 (CONSTITUTIONAL AMENDMENT)

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Butler and pursuant to the motion heretofore adopted, the House adjourned until 11:00 o'clock a.m., Friday, July 17, 1987.

TWENTY-NINTH DAY

House of Representatives
Montgomery, Alabama
Friday, July 17, 1987

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rep. Ed Frazier.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ed Richardson.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-eighth legislative day and finds the same to be correct.

TOMMY CARTER,
Chairman.

On motion of Rep. Carter, the reading at length of the Journal of the House for the twenty-eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-eighth legislative day was approved.

BILLS OF SECOND READING

Rep. Higginbotham, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 75. To amend Code of Alabama 1975, §20-2-80 to further define the crime of trafficking in illegal drugs by adding to the list of drugs for which trafficking penalties are provided; to amend Code of Alabama 1975, §20-2-80(6) to replace the provision that a second violation of §20-2-80 is subject to a life without parole sentence with a provision that violations of it are Class A felonies for purposes of Title 13A, including sentencing under the Habitual Felony Offender Act, with certain provisos; to amend Code of Alabama 1975, §20-2-81(a) to further define the restriction on early, conditional, or temporary release of anyone convicted of violating §20-2-80; to amend Code of Alabama 1975. §20-2-81(b) to further define and restrict the circumstances in which the sentence of someone convicted of violating §20-2-80 may be reduced or suspended in return for assistance rendered law enforcement; to provide for incorporation of the provisions of this act into Title 13A of the Code of Alabama 1975; to repeal any conflicting laws or parts of laws; to specify the conduct to which this act applies; to provide for severability; and to provide an effective date.

S. 243. To amend Code of Alabama 1975, §13A-3-1, concerning the defense of insanity or mental disease or defect; to define the defense; to specify the burden of proof; to specify the conduct to which this act applies; and to provide an effective defense.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 610. To remove certain property from within the municipal limits of the Town of Summerdale in Baldwin County.

S. 660. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Orange Beach, in Baldwin County; to provide for a referendum election of the qualified electors who reside within the territory proposed to be brought within the municipal limits of Orange Beach.

S. 697. Relating to Dale County; providing an additional county expense allowance for members of the county board of registrars, payable from any county funds; and providing for cumulative and retroactive effect to October 1, 1986.

S. 706. To fix the fee for the issuance of pistol permits in Etowah County; to provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund; to provide for the use of such fund; and to provide that this act shall be retroactive to January 19, 1987.

S. 707. Relating to Etowah County; providing for the distribution of fire protection net tax revenues generated pursuant to Amendment No. 445, Amendment of Amendment 432, which authorized the levy of such tax and the distribution to volunteer fire departments for such protection and services, so as to provide for the manner of such distribution together with any earned interest thereon.

Rep. White (G), Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 450. Relating to Class I municipalities, to provide that the courts of this state shall take judicial notice of all municipal ordinances of such municipalities.

S. 713. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, to make the provisions of the retirement and relief system of the City of Birmingham available to the employees of the Birmingham Airport Authority upon election of such coverage by the Birmingham Airport Authority.

Rep. Marietta, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 498. Relating to Mobile County; providing for the acceptance of certain unimproved roads and regulating the construction of certain other unimproved roads.

Rep. Hall, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 523. Relating to Madison County; repealing Act No. 882, H. 1958, 1973 Regular Session, which entitles the register of the circuit court to certain fees in court cases.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 620. Relating to Tuscaloosa County; providing the tax assessor and tax collector of the county an additional expense allowance, payable from county funds; and providing further for the compensation of each such public

office at the expiration of the respective terms of office of such incumbent officials.

Rep. Britnell, Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 1. To amend further Code of Alabama 1975, Section 32-5-313, relating to a penalty for a traffic infraction so as to increase the amount of the penalty; to create the Alabama Traffic Safety Center Fund; to provide that the additional amounts shall be used to support programs of the Alabama Traffic Safety Center; and to fund courses in the driver safety, motorcycle safety and boating safety.

Rep. Harper, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 680. To make appropriations from the Alabama Special Educational Trust Fund to the United Cerebral Palsy of Alabama and the United Cerebral Palsy Development Center for East Central Alabama and from the State General Fund for the Simpson-May Cerebral Palsy Center for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

S. 130. To provide for the correction of errors made in the assessment, computation, calculation and collection of ad valorem taxes, including penalties or fees due thereon and any mechanical errors found in the tax return, and to further provide for the refund of overpayments due to such errors.

Rep. Harper, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 671. (With Substitute): To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Rep. Harper, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 676. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama League for Advancement of Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Rep. Harper, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 536. (With Amendment): To require the state to provide subsidized child day-care services for a certain minimum number of eligible children,

and to provide for a conditional, supplemental appropriation for fiscal year beginning October 1, 1987, for a certain amount of additional eligible children.

Rep. Harper, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 641. To make an appropriation from the Alabama Special Educational Trust Fund and the State General Fund for the fiscal year 1987-88, for the use of a sickle cell education program, and to require an operations plan and audited financial statement prior to release of any funds.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1006. Relating to Mobile County; directing and requiring the county governing body to provide for holding an advisory election relative to the question of alternative methods of levying additional county taxes to raise revenue for the Mobile County school board for purposes of public education.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 474. RELATIVE TO MEETING DAYS.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Wright:

H. R. 475. COMMENDING SHAREE DELLYNNE KEMP OF DORA, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY SERVICE.

Also:

The following resolution was introduced:

By Rep. Payne:

H. J. R. 476. COMMENDING THE OFFICERS OF THE ALABAMA DIVISION, UNITED DAUGHTERS OF THE CONFEDERACY.

WHEREAS, the 1985-1987 officers of the Alabama Division, United Daughters of the Confederacy, were an outstanding group of Southern women dedicated to the preservation of our Southern history, education, patriotic ideas, benevolent endeavors and charitable causes; and

WHEREAS, they further served as distinguished representatives of our state, traveling many miles both within and without the State of Alabama to promote and commemorate our Southern heritage; and

WHEREAS, during their tenure in office, these women were instrumental in the renewal of much interest in Confederate history; the establishment of seventeen new scholarships at Alabama colleges and universities; the bestowal of Crosses of Military Service to descendants of Confederate veterans; the purchase of a new Confederate Flag for the Alabama House Chamber; the donation of some 1500 books to schools and libraries; the formation of several new Children of the Confederacy chapters, among other accomplishments; and

WHEREAS, the Alabama Division U.D.C. officers also formulated a goal to establish a Confederate Memorial Museum and, in June 1986, the first Confederate Park Festival to generate funds for the museum was held at Confederate Park, Mountain Creek, Alabama, and the installation of directional signs placed on I-65 has generated a tremendous increase in park visitors, representing 28 states; and

WHEREAS, those officers who have so greatly served the Southern cause are: Mrs. James O. Batte, President; Mrs. Billy V. Short, First Vice President; Mrs. C. Wayne Shell, Second Vice President; Mrs. Sam D. Woodson, Third Vice President; Mrs. Milton Thorn, Recording Secretary; Mrs. Lester Fanning, Corresponding Secretary; Mrs. H. B. Payne, Treasurer; Mrs. A. N. McKinney, Historian; Mrs. Joseph J. Rogers, Registrar; Mrs. John H. St. Laurent, Recorder of Crosses; Mrs. Percy F. Martin, Chaplain; and Mrs. C. G. Clinard, Parliamentarian; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding service and dedication to the preservation of our illustrious Southern heritage, we hereby most highly commend the 1985-1987 officers of the Alabama Division, United Daughters of the Confederacy, and do further direct that each of these ladies receive a copy of this resolution and that a copy also be presented to Ann Kennedy for her invaluable assistance to said officers.

On motion of Rep. Payne, the rules were suspended and the resolution, H. J. R. 476, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Beers, White (F), Adams, Beasley, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark, (J), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (G), White (L), Williams, Willis, Wright, and Zoghby.

H. R. 477. COMMENDING THE UNIVERSITY OF ALABAMA HOSPITAL, BIRMINGHAM.

Also:

The following resolutions were introduced:

By Rep. McMillan:

H. J. R. 478. CREATING AN OVERSIGHT COMMITTEE ON EDUCATION ADMINISTRATION-LEADERSHIP DEVELOPMENT PROGRAM.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created the Oversight Committee on Education Administration-Leadership Development Program. The committee shall be composed of 12 members. The membership of the committee shall be as follows: the chairman of the House of Representatives Standing Committee on Education, one member of said committee designated by the chairman, the chairman of the Senate Standing Committee on Education, one member of said committee designated by the chairman, the chairman of the House of Representatives Ways and Means Committee or a member of said committee designated by the chairman, the chairman of the Senate Finance and Taxation Committee or a member of said committee designated by the chairman, the Executive Director of the Alabama Association of School Boards, the Executive Director of the Alabama Council for School Administration and Supervision, one person representing the fields of business and industry appointed by the Speaker of the House of Representatives, one person representing the fields of business and industry appointed by the Lieutenant Governor, one person representing higher education appointed by the Governor, and one person from the Governor's staff, appointed by the Governor. A chairman and vice-chairman shall be elected from the membership of the committee; they shall set their own rules and procedure for the conduct of their business. Meetings shall be at the call of the chairman or by a majority of the members. Members shall not receive any compensation for serving on the committee. The committee

shall study all facets of the objectives and work with the department of education to develop programs, curriculum, funding; requirements for participation and any other aspect of the program as deemed appropriate by a majority of the members of the committee.

The purpose of said committee shall be: 1) to provide staff development in areas of need as identified by a performance assessment of leadership personnel and other needs assessment; and 2) to enable leadership personnel to create and maintain effective schools as defined by the current body of Effective Schools Research.

Upon the request of the chairman, the Clerk of the House and the Secretary of the Senate shall provide clerical assistance as may be necessary for the committee's work. The State Department of Education, the Alabama Council for School Administrators and Supervisors, and other appropriate state agencies shall furnish such records and assistance as the committee may request from time to time.

RESOLVED FURTHER, That all costs related to the committee's business shall be paid from funds appropriated to the use of the Legislature, upon warrants drawn on the State Comptroller upon requisitions approved by the committee's chairman.

BE IT FURTHER RESOLVED, That the committee shall report its findings, conclusions and recommendations to the Governor, the Legislature and appropriate state agencies no later than the fifth legislative day of the Regular Session 1988, whereupon it shall stand discharged and relieved of any and all future liabilities and responsibilities.

On motion of Rep. McMillan, the rules were suspended and the resolution, H. J. R. 478, was adopted.

Also:

By Rep. Campbell:

H. R. 479. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That when we adjourn today, Friday, July 17, 1987, that we adjourn to meet again on Monday, August 3, 1987, at 10:00 A.M.

On motion of Rep. Campbell, the rules were suspended and the resolution, H. R. 479, was adopted.

Also:

By Reps. Butler, Hall, Freeman, Grayson, Hettinger, and Brooks:

H. J. R. 480. URGING THE DEPARTMENT OF REVENUE TO REMOVE THE STATE FROM THE FEDERAL COURT REAPPRAISAL ORDER.

WHEREAS, in a 1971 case, the Department of Revenue was ordered by the United States District Court to provide for the reappraisal of real property in the state for ad valorem tax purposes; and

WHEREAS, the statewide reappraisal ordered by the federal court was completed in 1982; however, the federal court has continued to maintain jurisdiction over the reappraisal process in Alabama; and

WHEREAS, this body is aware of the problem of maintaining equalization in property values for ad valorem tax purposes but believes that it

is unfair to require some counties to reappraise each year and not to require others; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we strongly urge the Department of Revenue to take the affirmative action necessary to remove Alabama from the reappraisal order of the federal court even to the point of developing a plan providing for reappraisal in all counties every five years if necessary.

On motion of Rep. Butler, the rules were suspended and the resolution, H. J. R. 480, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 209. To amend Section 40-17-31 (a) and Section 40-17-171 and Section 40-17-220, Code of Alabama, 1975, to provide that purchases of gasoline and lubricating oil by city and county boards of education, the Alabama Institute for Deaf and Blind, Department of Youth Services School District, and private and parochial schools shall be exempt from taxation under the levy provided for in Section 40-17-31 (a) and Section 40-17-171 and Section 40-17-220, Code of Alabama, 1975.

by a majority of the whole number elected to the Senate, said vote being Yeas: 21, Nays 0.

And said Bill, H. B. 209, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 311. TO CONTINUE THE JOINT INTERIM COMMITTEE ON MUNICIPAL GOVERNMENT.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 438. CREATING A JOINT LEGISLATIVE INTERIM COMMITTEE TO STUDY METROPOLITAN-GOVERNMENT.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 288. To exempt the King's Ranch, Inc., from the payment of all state, county and municipal sales and use taxes.

Also:

H. 371. To provide longevity pay for certain employees of the state; to prescribe the amount of such pay and the manner of its payment; and to appropriate funds for the purposes of the act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 542. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding $6,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including (a) the power to make grants from the proceeds of the said additional bonds to counties, municipalities and local industrial development boards, economic development councils and airport authorities, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide for the execution, form and terms of such bonds and for the terms of sale thereof; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Sections 40-25-2 and 40-25-23, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the state treasurer shall be the custodian of the funds of the Authority.

Also:

H. 837. To provide that the first $9,500,000 of the net amount of all taxes required to be deposited to or certified in the state treasury to the credit of the state general fund pursuant to Section 40-20-8, Code of Alabama

1975, as amended, in each fiscal year beginning with the fiscal year commencing on October 1, 1987, shall be credited to an account to be known as the Alabama State Docks Facilities Contingency Trust Fund and created hereby; to provide that there shall be appropriated and paid to the Alabama State Docks Department, under certain circumstances, all or a portion of all funds deposited to that account based on the expected deficiency anticipated to be incurred by the Department in payment of (1) expenses anticipated to be incurred in operating and maintaining the Department's coal handling and other facilities and (2) principal and interest coming due during the then current fiscal year on certain bonds of the state and of the Department; to provide that within forty-five days after the close of the third quarter of a fiscal year any moneys then contained in and as shall during the remainder of the fourth quarter of the fiscal year be deposited to the credit of the account established hereby in excess of the amount anticipated to be needed during the fourth quarter to satisfy any expected deficiency in the Department's operations as defined herein shall be transferred out of Alabama State Docks Facility Contingency Trust Fund and deposited to the general fund; to provide that amounts transferred pursuant to this Act may be used for any lawful purpose except to pay principal of or interest on any obligations issued by the Alabama State Docks Department; to provide that this Act shall not constitute a contract between the State or the Alabama State Docks Department and the holders of any obligations issued by the Alabama State Docks Department; to provide that amounts transferred pursuant to this Act constitute mere voluntary payments by the State to or in aid of the Alabama State Docks Department; to repeal all laws or parts of laws in conflict with the provisions of this Act; to provide that the provisions of this Act are severable; and to provide for an effective date.

Also:

H. 840. To provide for referendums to authorize Class 5 municipalities to construct hydroelectric generating facilities.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 325. To amend Section 32-5A-171, Code of Alabama 1975, which relates to the maximum speed limit of motor vehicles, so as to provide for an increase in the maximum speed limit on certain portions of the Interstate System and to provide for the marking of trucks and maximum speed limit of trucks transporting explosives, flammable liquids or hazardous wastes.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolution was introduced:

By Rep. Biddle:

H. J. R. 481. COMMENDING THE VOLUNTEER AUXILIARY OF THE UNIVERSITY OF ALABAMA HOSPITAL AT BIRMINGHAM.

WHEREAS, the Volunteer Auxiliary of the University of Alabama Hospital at Birmingham provided over 35,000 hours of service in 1986-87, and

WHEREAS, the Arthritis Information Center provided information to 2633 requests, and

WHEREAS, the Cancer Information Services provided current information to 5562 requests concerning cancer prevention, screening, treatment and continuing care, and

WHEREAS, the Day of Service Program served 7335 families, and

WHEREAS, the Intensive Care Program served 14,205 families

WHEREAS, lodging was provided for 1,105 families who had members with long-term illnesses, and

WHEREAS, the Auxiliary provides interpretors for foreign patients, welcomes families who are from other states or foreign countries, provides services for admitting, patient recreation, provides volunteer grandparent services and other services, and

WHEREAS, in addition to services provided, the Auxiliary generously supports the Hospital financially, and

WHEREAS, the legislature, like Emerson, believes that, "What lies before us and what lies behind us are less important than what lies within us." What lies within these volunteers is a special way of touching others.

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, both houses thereof concurring, that the legislature of the State of Alabama commends the Auxiliary of the UAB Hospital.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the President of the Auxiliary as a memento of our deep appreciation for services rendered.

On motion of Rep. Biddle, the rules were suspended and the resolution, H. J. R. 481, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Willis and Lindsey:

H. R. 482. CONGRATULATAING THE SPRING GARDEN HIGH SCHOOL LADY PANTHERS ON THEIR SPECTACULAR BASKETBALL SEASON.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1066. Relating to Mobile County; levying and additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in the county; providing for the assessment, collection,

and distribution of the proceeds of the tax, and of the adoption and promulgation of rules and regulations therefor by the governing body of said county; defining violations of the act, and prescribing penalties therefor.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Box, the House concurred in and adopted the Senate amendment to the bill, H. 1066, said Senate amendment being as follows:

Amend H. B. 1066, by striking the wording after the word "~~fit.~~" beginning with the word "paid" through and including the word "only", and inserting the following new language: "paid out to Greater Mobile-Washington County Mental Health-Mental Retardation Board, Inc. The fund shall be expended by said board in Mobile County only, for mental health purposes and all other purposes specified and allowed in Act 310 of the 1967 Regular Session of the Alabama Legislature."

Yeas 31; Nays 1.

Yeas:

Mr. Speaker, Adams, Beers, Blake, Blakeney, Box, Breedlove, Brooks, Bryant, Bugg, Campbell, Clark (W), Curry, Gaston, Grouby, Harper, Haynes, Hill, Kennedy, Kvalheim, Laird, Layson, Marks, Moon, Newman, Reed, Slaughter, Walker, White (G), Williams and Wright.

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Nay: Rep. Buskey (JE). —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 958. To propose an amendment to the Constitution of Alabama of 1901, to authorize the levy and collection of an additional property tax within the Roanoke School District, Randolph County, for public education purposes.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Laird, the House concurred in and adopted the Senate amendment to the bill, H. 958, said Senate amendment being as follows:

Amend H. B. 958 on line 25, after word "be" by striking the words "none effective" and insert in lieu thereof the word "noneffective".

Yeas 34; Nays 0.

Yeas:

Mr. Speaker, Adams, Black, Blakeney, Box, Breedlove, Brooks, Bryant, Bugg, Buskey (JL), Butler, Curry, Freeman, Gaston, Goodwin, Grayson, Hall, Hammett, Harper, Hettinger, Hill, Kennedy, Kvalheim, Layson, Lindsey, Marks, Mikell, Moon, Newman, Starkey, White (G), White (L), Wright and Zoghby.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 487. Relating to Dale County; providing for the chairman of the county commission; amending Section 2 and repealing Section 3 of Act No. 1955, H. 1827, Regular Session 1971 (Acts 1971, p. 3174), which provides for the chairman of such commission, so as to transfer such office and duties to the judge of probate who shall be the chairman ex officio; providing that the duties and the compensation of such chairman shall be as provided by law; providing no ballot shall contain the office of chairman of county commission separate from the judge of probate.

said Governor's Message being in words and figures as follows, to-wit:

To The Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I transmit herewith to you a message from the Governor, returning Senate Bill No. 487, without the Governor's signature and approval, but with the following Executive Amendment.

Done this 16th day of July, 1987.

Respectfully submitted,

JOHN E. GRENIER,
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I am returning to you, the body in which it originated, Senate Bill No. 487, without my approval and with the following suggested Executive Amendment:

EXECUTIVE AMENDMENT TO SENATE BILL NO. 487:

On page 2, beginning on line 12, after the word "chairman" delete the comma and the following language:

~~provided, however, the provisions of this section shall not be constructed to include any compensation for his duties as judge of probate."~~

In lieu of the above deleted language, after the word "chairman" on page 2, line 12, substitute the following language:

and as probate judge.

The adoption of the above suggested amendment will remove my objections to this bill.

Respectfully,

GUY HUNT,
Governor.

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, S. B. 487, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25, Nays 0.

And said Bill, S. B. 487, together with the Executive amendment, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Williams, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 487, said Executive amendment being set out in the above and foregoing Message from the Senate.

Yeas 39; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Black, Blakeney, Brooks, Bryant, Bugg, Buskey (JL), Butler, Carter, Clark (W), Crow, Curry, Frazier, Freeman, Gaston, Grayson, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Hogan, Hooper, Johnson (RG), Kennedy, Kvalheim, Layson, Lindsey, McMillan, Newman, Poole, Slaughter, White (G), White (L), Wright and Zoghby.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 861. Relating to Clarke County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector; prescribing the amount of salary and method of payment of said salary; repealing conflicting laws; providing for an advisory referendum; and prescribing the effective date of this act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Blakeney, the House concurred in and adopted the Senate amendment to the bill, H. 861, said Senate amendment being as follows:

Amend H. 861 by changing the period after the word "taxes" on page 2, line 12, to a semicolon and inserting after such semicolon the following:

"provided however, nothing in this act shall be construed to change the procedures for assessment of property assessed by the department of revenue pursuant to Section 40-21-1 of this Code."

Yeas 39; Nays 0.

Yeas:

Mr. Speaker, Beers, Black, Blake, Blakeney, Brooks, Bryant, Bugg, Buskey (JL), Carter, Clark (W), Crow, Curry, Frazier, Gaston, Goodwin, Grayson, Hammett, Harper, Hill, Hogan, Junkins, Kennedy, Kvalheim, Layson, Lindsey, Marks, McMillan, Mikell, Newman, Parker, Payne, Seibels, Starkey, White (G), White (L), Williams, Willis and Wright.

—39

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 284. To further amend Sections 18 and 20 of an act designated as Act #248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for appointment of department heads from seven qualified candidates unless the appointing authority shall request the three ranking eligibles only.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate, Senators: Bennett, Hilliard, and Horn.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Perdue, the House accedes to the request of the Senate for a Committee on Conference on the differences between the two Houses on the House amendment to the bill, S. 284.

The Speaker appointed as a committee on the part of the House Reps. White (G), Perdue and Spratt.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the Report of the Committee on Conference on the disagreement of the two Houses on the Bill:

H. 535. To amend Section 6-5-481 of the Code of Alabama 1975, relating to definitions of terms used in the Alabama Medical Liability Act so as to provide further for the definition of the terms "Other Health Care Providers" and "Professional Corporation."

and has requested that the present Conference Committee be discharged and a new Conference Committee appointed.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate, Senators: Manley, Foshee, and Preuitt.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Holley, the House acceded to the request of the Senate for a new Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 535.

Yeas 40; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Black, Blake, Box, Brooks, Bryant, Carter, Crow, Curry, Freeman, Gaston, Grayson, Grouby, Harper, Haynes, Hettinger, Hill, Holley, Johnson (RG), Johnson (RW), Junkins, Kennedy, Kvalheim, Logan, McKee, McMillan, Mikell, Newman, Parker, Payne, Poole, Seibels, White (G), White (L), Williams, Willis, Wright and Zoghby.

—40

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The Speaker appointed as a new Committee on Conference on the part of the House Reps. Holley, Hall and Johnson (RG).

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Payne, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 430.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Payne, Budget Isolation Resolution relating to S. B. 430, was adopted.

Yeas 36; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Black, Brooks, Bryant, Curry, Davis, Flowers, Freeman, Grayson, Grouby, Hall, Hammett, Harper, Haynes, Hettinger, Junkins, Kennedy, Kvalheim, Laird, Lindsey, McClain, McDowell, McKee, Parker, Payne, Perdue, Petelos, Rains, Rogers, Spratt, White (G), White (L), Willis and Wright.

—36

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 430. To amend further Section 10 of Act No. 497, Regular Session of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, relating to a pension system for officers and employees of Jefferson County, Alabama, so as to increase the benefit formula rate and to provide further for the retirement of certain members of the pension system.

Was read a third time at length and passed.

Yeas 45; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Bowling, Brooks, Bryant, Curry, Davis, Flowers, Freeman, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Hettinger, Johnson (RG), Kennedy, Kvalheim, Laird, Layson, Marks, McClain, McDowell, McKee, Parker, Payne, Perdue, Petelos, Poole, Rains, Rogers, Seibels, Slaughter, Spratt, Starkey, White (G), White (L), Wright and Zoghby.

—45

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 796. To amend Section 24-1A-9 Code of Alabama 1975, relating to the limitation on issuance of bonds by the Alabama Housing Finance Authority.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Gaston, the House concurred in and adopted the Senate amendment to the bill, H. 796, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend portions of Section 24-1A-1 of the Code of Alabama 1975, relating to the legislative findings and declaration of purpose underlying Chapter 1A of title 24 of the Code of Alabama 1975; to amend the definition of "eligible housing unit" appearing in Section 24-1A-2(5) of the Code of Alabama 1975, so as to provide that eligible housing units may include multi-family dwelling units for occupancy by persons and families without restriction as to their income, other than applicable federal restrictions; and to amend Section 24-1A-9 of the Code of Alabama 1975, so as to provide further for the limitation on issuance of certain bonds by the Alabama Housing Finance Authority.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 24-1A-1 of the Code of Alabama, 1975, is hereby amended to read as follows:

"§24-1A-1.

"(a) It is hereby found and declared that from time to time there has existed and at the present time there exists an inadequate supply of funds

at interest rates sufficiently low to enable the financing of safe and sanitary ~~single and~~ multi-family dwelling units for citizens of this state and single family dwelling units for citizens of this state with low and moderate income; that the inability to finance such single and multi-family dwelling units results in an inability of builders to construct such housing causing unemployment or underemployment in the housing construction and related businesses and causes a lack of safe and sanitary housing to be available to ~~persons of low and moderate income,~~ the citizens of this state; that such unemployment or underemployment in the housing construction and related businesses and an inadequate supply of safe and sanitary housing ~~for persons of low and moderate income~~ wastes human resources, increases the public assistance burden of the state, impairs the security of family life, impedes the economic and physical development of the state, adversely affects the welfare and prosperity of all of the people of the state and accordingly creates and fosters conditions adverse to the general health and welfare of the citizens of the state, that the making available in the manner provided in this chapter of a more adequate supply of funds at interest rates sufficiently low to enable the financing of safe and sanitary ~~single and~~ multi-family dwelling units for citizens of this state and single family dwelling units for citizens of low and moderate income will result in the alleviation or reduction of the adverse consequences which have resulted and may result from continued unemployment and underemployment in the housing construction and related businesses and the inadequate supply of such housing for such persons. ~~of low and moderate income.~~

"(b) It is hereby further found and determined that the conditions adverse to the general health and welfare of the citizens of the state as noted in subsection (a) of this section can best be solved by a cooperative effort as provided in this chapter between the authority acting on behalf of the state and those engaged in the business of making mortgage loans and such is the purpose of this chapter and it is not the intent of the legislature that the authority have the power to make direct loans to individuals or to acquire or construct housing units for lease or sale or that the authority have urban development or slum clearance functions, although its functions under this chapter are expected to be complementary to and supportive of those functions."

Section 2. Section 24-1A-2 of the Code of Alabama, 1975, is hereby amended to read as follows:

"§24-1A-2.

"The following words and phrases used in this chapter, and others evidently intended as the equivalent thereof, shall, in the absence of clear implication otherwise, have the following respective meanings:

"(1) AUTHORITY. The public corporation and instrumentality of the state organized pursuant to the provisions of this chapter.

"(2) AUTHORIZED INVESTMENTS. Bonds or other obligations of, or guaranteed by, the United States of America or the state; interest bearing bank and savings and loan association deposits; obligations of any agency of the United States of America; any obligations in which a state chartered savings and loan association may invest its funds; any agreement to repurchase any of the foregoing; or any combination thereof.

"(3) BOARD OF DIRECTORS. The board of directors of the authority.

"(4) BONDS. Bonds or other securities representing an obligation to pay money.

"(5) ELIGIBLE HOUSING UNIT. Real and personal properties located in the state constituting a single ~~or multi-~~family dwelling unit for occupancy by low and moderate income families or a multi-family dwelling unit for occupancy by any persons and families without restriction as to the income of such persons or families other than any applicable federal restrictions imposed upon multi-family dwelling units financed from the proceeds of bonds the interest on which is exempt from federal income taxes.

"(6) LOW AND MODERATE INCOME FAMILIES. Persons and families of one or more persons, irrespective of race, creed, national origin or sex, determined by the authority to require such assistance as is made available by this chaper on account of insufficient personal or family income taking into consideration, without limitation, such factors as follows:

"a. The amount of the total income of such persons and families available for housing needs;

"b. The size of the family;

"c. The cost and condition of housing facilities available;

"d. The ability of such persons and families to compete successfully in the normal private housing market and to pay the amounts at which private enterprise is providing sanitary, decent and safe housing; and

"e. If appropriate, standards established for various federal programs with respect to housing determining eligibility based on income of such persons and families.

"(7) MORTGAGE LENDERS. National banking associations, banks chartered under the laws of the state, savings or building and loan associations chartered under the laws of the state or of the United States of America, Federal National Mortgage Association approved mortgage bankers and federal or state credit unions. The term shall also include other financial institutions or governmental agencies which customarily originate or service mortgage loans and mortgages.

"(8) MORTGAGE LOANS. Notes and other evidences of indebtedness secured by mortgages.

"(9) MORTGAGED PROPERTY. All properties, real, personal and mixed, and all interests therein including grants or subsidies with respect thereto, mortgaged, pledged or otherwise provided in any manner as security for (1) mortgage loans or (2) loans to mortgage lenders.

"(10) MORTGAGES. Mortgages, deeds of trust and other instruments granting security interests in real and personal properties constituting eligible housing units.

"(11) MULTI-FAMILY MORTGAGE LOANS. Mortgages on eligible housing units constituting residential dwelling units leased to or occupied by more than one family unit.

"(12) SINGLE FAMILY MORTGAGE LOANS. Mortgages on eligible housing units constituting residential dwelling units occupied as the principal residence of the owner-mortgagor by a single-family unit, including, without limitation, detached single family houses, attached single family houses or townhouses and condominium units within larger structures.

"(13) STATE. The state of Alabama."

Section 3. Section 24-1A-9 of the Code of Alabama 1975, is hereby amended to read as follows:

"§24-1A-9.

"Notwithstanding any other provision of this chapter to the contrary, the authority shall not issue any bonds, other than refunding bonds, subsequent to December 31, ~~1987~~ 1990."

Section 4. The provisions of this act are severable. If any portion of this act is declared invalid or unconstitutional, such declaration shall not affect the validity of the portions which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

Yeas 45; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Bowling, Brooks, Bryant, Curry, Davis, Flowers, Freeman, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Hettinger, Johnson (RG), Kennedy, Kvalheim, Laird, Layson, Marks, McClain, McDowell, McKee, Parker, Payne, Perdue, Petelos, Poole, Rains, Rogers, Seibels, Slaughter, Spratt, Starkey, White (G), White (L), Wright and Zoghby.

—45

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 541. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding $6,000,000 in aggregate principal amount.

Also:

H. 570. To authorize each municipality in this State to donate certain real property (whether acquired prior to or subsequent to the enactment hereof) to the United States of America for use by the said United States for defense and related purposes, to authorize each such municipality to issue its bonds, warrants or the evidences of indebtedness for the purpose of providing funds to purchase such real property and to authorize each such municipality to convey such real property to a "related public corporation" under Chapter 63 of Title 11 of the Code of Alabama of 1975 for

the purpose of enabling such public corporation to donate the said real property to the United States.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 483. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That immediately upon the adoption of this resolution, the following business, in the order named, be made the special and paramount order of business for the 29th Legislative Day, Friday, July 17, 1987, taking precedence over the regular order of business or any pending or unfinished business:

Inst Id	Page
S. 500—By Bailey	28
Children's Trust Fund, supp. approp.	
S. 61—By Menton (As Amended)	3
Nighttime search warrants, conditions of issuance reg., Secs. 15-5-8 and 15-5-12 repealed	
S. 56—By Holmes	11
Drugs, sales or use in schools or educational facilities prohib., add'l. penalties	
S. 125—By Cabaniss (As Amended)	5
Drugs unlawfully sold, excise tax imposed, Section 40-23-2, and 40-23-35, amended	
S. 133—By Hilliard	6
The Drug Predator Control Act of 1987 created; Crime of criminal solicitation to commit controlled sub. crime, attempt or conspiracy defined	
S. 73—By Smith (J)	14
Teacher units further provided for, number of students in state funded classrooms in public schools	
S. 485—By Denton	20
Alabama Music Hall of Fame Bd., auth. to issue bonds, Sec. 41-9-682 am'd.	
S. 486—By Denton	21
Alabama Music Hall of Fame Board, auth. to issue bonds, const. amend.	
S. 251—By Sanders (As Amended)	11
Crime of rape, exempt. of spouse from def. removed, Sec. 13A-6-60 am'd.	

S. 207—By Menton 8

Certificate of qualification for license to practice medicine issued to commissioned officer of medical corps, Section 34-24-75 amended

S. 490—By Bedford 37

Plumbers Examining Bd., authority expanded to conduct statewide testing

S. 107—By Holmes 15

Aeronautics Dept., power of eminent domain around airports auth.

S. 131—By Bennett 3

School trustees, Co., appointed by County board of ed., Sec. 16-10-1 am'd.

S. 227—By Dial 18

Board of examiners for psychology, fees incr., Secs. 34-26-22, 34-26-43, 34-26-43.1 am'd.

S. 233—By Amari (As Substituted) 13

Not-for-profit corporations that are exempt from income taxation, civil immunity for officers and trustees

S. 140—By Manley 21

Food stamps, illegal possession of, criminal offense, penalties

S. 178—By Bailey 3

Retirement Sytems, restoration of previous service credit reg., Sec. 16-25-11, 36-27-11 am'd.

S. 242—By deGraffenried 19

State troopers, retirement alt.

S. 477—By Bedford 12

Alabama Manufactured Housing Commission Recovery Fund, estab., for consumer appeal and compensation

S. 478—By Bedford 22

Manufactured housing commission, duties, functions, admin., Sec. 24-6-3, 24-6-4 am'd.

S. 84—By Smith (J) (As Amended) 7

Drugs, controlled substances offenses, seizure and forfeiture of property regulated, section 20-2-93 amended

S. 565—By deGraffenried 24

Unemployment Trust Fund, approp. from, to purchase land, buildings for the admin. of unemployment comp. and employment services programs of Industrial Relations Dept.

S. 155—By Dixon 2

Contract Review Permanent Legislative Oversight Committee, auth. further provided, Sec. 29-2-41 am'd.

S. 499—By Goodwin 23

Law enforcement officers, survivors to receive badge, officers disabled in line of duty to receive badge

S. 55—By Cabaniss (As Substituted) 13

Men's Hall of Fame, estab.

S. 515—By Rice 39

Human Resources Dept., family group homes established as type of child day care, Sec. 38-27-2 amended

S. 214—By Bedford 23

Boards of education, authorized to compensate paying banks regarding schools warrants, section 16-13-99 amended

S. 215—By Bedford 22

Financial institution with fiduciary capacity purchase bonds and securities underwritten by financial institutions

S. 454—By Horn (As Substituted) 19

Teachers and Employees retirement system, reopen for purchase of nonmembership service.

S. 264—By Hand 31

Emergency forest fire fund, name altered to emergency forest fire, insects and disease fund, Section 9-3-10.1 amended

S. 345—By Foshee 5

Liquefied Petroleum Gas Board, law enforcement officers employed by, subsistence allowance, Section 36-21-2 amended

S. 141—By Manley 34

Mortgages further provided for so as to permit execution of deed in lieu of foreclosure, rights of parties

S. 83—By Smith (J) 8

Trade Secrets Act, remedies, statute of limitations

S. 467—By Manley 37

State Council on Arts and Humanities, named changed, Sec. 41-9-41 am'd.

S. 254—By Covington 35

State employees travel allowance, optional when attending training schools, Sec. 36-7-20 am'd.

S. 148—By Goodwin (As Amended) 16

Counties and muns., auth. to provide tax increment financing for revitalization, consti. amend.

S. 149—By Goodwin 16

Counties and muns., provide for tax increment financing for revitalizations

S. 72—By Smith (J) 33

Madison Co., add'l. dist. judgeship created, Sec. 12-17-61 am'd.

S. 276—By Langford 46

Codes and Ordinances adopted by reference, Sec. 11-45-8 amended

S. 44—By Langford 36

Public contracts, competitive bids, collusion, made uniform on basis of $3,000.00, Secs. 41-16-54 and 41-16-55 am'd.

S. 203—By Bedsole 9

Timber Theft Equipment Condemnation Act, estab., penalties

S. 42—By Langford 26

Mortgage recording tax, exempt re-recordation for correction of errors, Secs. 40-22-1, 40-22-2 am'd.

S. 158—By Dixon 17

Alabama Peace Officers Hall of Fame Board, estab., powers, duties

S. 88—By Bishop 38

Insurance Commissioner, election procedure and salary, insurance rate-making procedures prescribed, bond req., Secs. 27-2-2, 27-2-4, 27-3-26, 27-13-66, 27-13-68, 27-13-81, 27-13-83 am'd. Secs. 27-13-71, 27-13-72, 27-13-80 repealed

Uncontested Local Bills.

SUBSTITUTE OFFERED

Rep. Laird offered the following substitute to the resolution, H. R. 483:

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Insurance Commissioner, election procedure and salary, insurance rate-making procedures prescribed, bond req., Secs. 27-2-2, 27-2-4, 27-3-26, 27-13-66, 27-13-68, 27-13-81, 27-13-83 am'd. Secs. 27-13-71, 27-13-72, 27-13-80 repealed

Uncontested Local Bills.

S. 490—By Bedford

S. 477—By Bedford

S. 478—By Bedford

S. 214—By Bedford

S. 215—By Bedford

MOTION TO TABLE LOST

The motion offered by Rep. Knight to table the substitute offered by Rep. Laird, was lost.

Yeas 23; Nay 32.

Yeas:

Reps. Beers, Biddle, Blake, Blakeney, Brooks, Burke, Buskey (JL), Cosby, Gaston, Hall, Hill, Holley, Holmes, Johnson (RW), Knight, Logan, Payne, Rains, Starkey, Warren, White (G), Williams and Wright.

—23

Nays:

Mr. Speaker, Adams, Box, Carothers, Carter, Curry, Dillard, Faulk, Flowers, Fuller, Grayson, Grouby, Haynes, Hettinger, Higginbotham, Hogan, Johnson (RG), Junkins, Laird, Layson, Lindsey, Mathis, McKee, Moon, Poole, Reed, Richardson, Seibels, Turnham, Walker, White (L) and Willis.

—32

SUBSTITUTE TABLED

On motion of Rep. Johnson (RW), the substitute offered by Rep. Laird to the resolution, H. R. 483, was tabled.

Yeas 34; Nays 32.

Yeas:

Reps. Beers, Blake, Blakeney, Brooks, Buskey (JE), Buskey (JL), Cosby, Freeman, Gaston, Hall, Hettinger, Hill, Holley, Holmes, Johnson (RW), Junkins, Knight, Lindsey, Logan, McMillan, Melton, Newman, Parker, Payne, Petelos, Rains, Slaughter, Starkey, Thomas, Warren, White (G), Williams, Wright and Zoghby.

—34

Nays:

Mr. Speaker, Adams Beasley, Box, Carothers, Crow, Curry, Dillard, Faulk, Flowers, Fuller, Grayson, Grouby, Haynes, Higginbotham, Hogan, Hooper, Johnson (RG), Laird, Layson, Mathis, McKee, Mikell, Moon, Poole, Reed, Richardson, Seibels, Turnham, Walker, White (L) and Willis.

—32

RESOLUTION, ADOPTED

On motion of Rep. Carter, the resolution, H. R. 483, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to wit:

H. 288. To exempt the King's Ranch, Inc., from the payment of all state, county and municipal sales and use taxes.

Also:

H. 325. To amend Section 32-5A-171, Code of Alabama 1975, which relates to the maximum speed limit of motor vehicles, so as to provide for

an increase in the maximum speed limit on certain portions of the Interstate System and to provide for the marking of trucks and maximum speed limit of trucks transporting explosives, flammable liquids or hazardous wastes.

Also:

H. 371. To provide longevity pay for certain employees of the state; to prescribe the amount of such pay and the manner of its payment; and to appropriate funds for the purposes of the act.

Also:

H. 542. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding $6,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including (a) the power to make grants from the proceeds of the said additional bonds to counties, municipalities and local industrial development boards, economic development councils and airport authorities, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide for the execution, form and terms of such bonds and for the terms of sale thereof; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Sections 40-25-2 and 40-25-23, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the state treasurer shall be the custodian of the funds of the Authority.

Also:

H. 837. To provide that the first $9,500,000 of the net amount of all taxes required to be deposited to or certified in the state treasury to the credit of the state general fund pursuant to Section 40-20-8, Code of Alabama 1975, as amended, in each fiscal year beginning with the fiscal year commencing on October 1, 1987, shall be credited to an account to be known as the Alabama State Docks Facilities Contingency Trust Fund and created hereby; to provide that there shall be appropriated and paid to the Alabama State Docks Department, under certain circumstances, all or a portion of all funds deposited to that account based on the expected deficiency anticipated to be incurred by the Department in payment of (1) expenses anticipated to be incurred in operating and maintaining the Department's coal handling and other facilities and (2) principal and interest coming due during the then current fiscal year on certain bonds of the state and of the Department; to provide that within forty-five days after the close of the third quarter of a fiscal year any moneys then contained in and as shall during the remainder of the fourth quarter of the fiscal year be deposited

to the credit of the account established hereby in excess of the amount anticipated to be needed during the fourth quarter to satisfy any expected deficiency in the Department's operations as defined herein shall be transferred out of Alabama State Docks Facility Contingency Trust Fund and deposited to the general fund; to provide that amounts transferred pursuant to this Act may be used for any lawful purpose except to pay principal of or interest on any obligations issued by the Alabama State Docks Department; to provide that this Act shall not constitute a contract between the State or the Alabama State Docks Department and the holders of any obligations issued by the Alabama State Docks Department; to provide that amounts transferred pursuant to this Act constitute mere voluntary payments by the State to or in aid of the Alabama State Docks Department; to repeal all laws or parts of laws in conflict with the provisions of this Act; to provide that the provisions of this Act are severable; and to provide for an effective date.

Also:

H. 840. To provide for referendums to authorize Class 5 municipalities to construct hydroelectric generating facilities.

Also:

H. J. R. 311. TO CONTINUE THE JOINT INTERIM COMMITTEE ON MUNICIPAL GOVERNMENT.

Also:

H. J. R. 438. CREATING A JOINT LEGISLATIVE INTERIM COMMITTEE TO STUDY METROPOLITAN-GOVERNMENT.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker Pro Tem of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolution, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Reps. Haynes, Johnson (RG) and Rains:

H. J. R. 484. MOURNING THE DEATH OF EUEL HOWARD GENTRY OF TALLADEGA, ALABAMA.

WHEREAS, the Legislature of Alabama, in deep sadness and regret, records the death of Euel Howard Gentry of Talladega, Alabama, on June 26, 1987, at the age of 88 years; and

WHEREAS, a graduate of Bibb County High School and of Auburn University with the B.S. and Master's degrees, Mr. Gentry was a former teacher and principal in the public schools of Alabama; in 1930 he became State Rehabilitation Supervisor, serving in this capacity until 1954; and

WHEREAS, Mr. Gentry then accepted the position of Director, Adult Programs and Clinical Services, at the Alabama Institute for Deaf and Blind; on July 1, 1962, he was named President of AIBD; and

WHEREAS, Mr. E. H. Gentry indeed experienced a long and distinguished career in public education, with the Alabama Department of Education, and as a Director and President of the Alabama Institute for Deaf and Blind where he became known as a pioneer in the development of goals, standards and policies in educating deaf and blind children in the State of Alabama; and

WHEREAS, Mr. Gentry, upon accepting Jesus Christ as his personal Savior at the age of fourteen, thenceforth devoted himself in service to our Lord, practicing his Christian principles in his professional life, as well as in the churches of the communities in which he lived as Sunday School teacher, Deacon and layman; and

WHEREAS, in the death of Euel Howard Gentry, our community has indeed suffered the loss of a truly honorable man and a fine Christian gentleman who was a blessing to us all; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Euel Howard Gentry of Talladega, Alabama, and extend our deepest sympathy to his beloved wife of more than 60 years, Mrs. Mary Griffin Gentry; to his son and daughter, James Howard and Mary Ann Johnson; and to other family members, whose sorrow we sincerely share and for whom a copy of this resolution shall be provided.

On motion of Rep. Haynes, the rules were suspended and the resolution, H. J. R. 484, was adopted.

SPECIAL ORDER

The House then proceeded with the consideration of the Special Order Calendar.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Carothers, Budget Isolation Resolution relating to S. B. 500, was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Box, Britnell, Brooks, Bugg, Buskey (JE), Butler, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Mathis, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Turnham, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

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And the bill:

S. 500. To make a supplemental appropriation to the Children's Trust Fund for the operation of said trust, from the general fund of the state

treasury, for the fiscal year ending September 30, 1987; providing that no balance of such funds, at the end of the fiscal year, shall revert to the general fund of the state treasury but shall continue until the said additional appropriation is depleted.

Was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Freeman, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Spratt, Turnham, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—82

BUDGET ISOLATION RESOLUTION

On motion of Rep. Carothers, Budget Isolation Resolution relating to S. B. 61, was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Blake, Blakeney, Box, Britnell, Brooks, Bryant, Bugg, Burke, Butler, Campbell, Carothers, Carter, Cosby, Crow, Curry, Davis, Faulk, Flowers, Freeman, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Roberts, Seibels, Spratt, Turnham, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—73

And the bill:

S. 61. (With Amendment): To amend Code of Alabama 1975, §15-5-8 to provide that a search warrant in a case in which the property to be seized includes a controlled substance may be served at night as well as during the day even if the affidavits supporting the warrant do not positively state that the property is on the person or in the place to be searched.

was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend Senate Bill 61, Section 2, Line 28, Page 1, by striking the following: <u>sutstance</u> and substituting in lieu thereof: <u>Substance</u>

AMENDMENT TABLED

On motion of Rep. Carothers, the amendment was tabled.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Brooks, Bryant, Bugg, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Freeman, Gaston, Grayson, Grouby, Hall, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Turnham, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—77

And the bill, S. 61, was read a third time at length and passed.

Yeas 83; Nays 1.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Blake, Blakeney, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Frazier, Freeman, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hogan, Holley, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turnham, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—83

Nay: Rep. Marietta. —1

BUDGET ISOLATION RESOLUTION

On motion of Rep. Davis, Budget Isolation Resolution relating to S. B. 56, was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Black, Blake, Blakeney, Box, Britnell, Brooks, Bryant, Bugg, Burke, Butler, Campbell, Carothers, Carter, Cosby, Crow, Curry, Davis, Flowers, Frazier, Freeman, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McDowell, McKee, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson,

Rogers, Seibels, Spratt, Starkey, Turnham, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—75

And the bill:

S. 56. Relating to controlled substances; prescribing certain additional penalties for any person convicted of an unlawful sale of a controlled substance on the campus or within a certain radius of the campus boundaries of any private or public school, college, university or other educational institution in this state.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Faulk, Flowers, Freeman, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Mathis, McDowell, McKee, McMillan, Moon, Newman, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Spratt, Starkey, Thomas, Turnham, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—79

BUDGET ISOLATION RESOLUTION

On motion of Rep. White (G), Budget Isolation Resolution relating to S. B. 125, was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Britnell, Brooks, Bryant, Bugg, Burke, Butler, Campbell, Carothers, Carter, Cosby, Crow, Curry, Davis, Faulk, Flowers, Freeman, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Mathis, McKee, Mikell, Moon, Newman, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turnham, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—78

And the bill:

S. 125. (With Amendment): To amend §§40-23-2 and 40-23-35, Code of Alabama 1975, to impose an excise tax on unlawful sales, use and other transactions involving certain drugs or controlled substances, and provide for the disposition of the proceeds of the tax.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Senate Bill 125 on page 5, line 17 by deleting the word "retail".

And the amendment was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Black, Blake, Blakeney, Box, Britnell, Brooks, Bryant, Bugg, Campbell, Carothers, Cosby, Crow, Curry, Davis, Faulk, Flowers, Freeman, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Harper, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Mathis, McKee, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Spratt, Starkey, Thomas, Turnham, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—72

And the bill, S. 125, as thus amended, was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Britnell, Brooks, Bryant, Bugg, Burke, Butler, Campbell, Carothers, Carter, Cosby, Crow, Curry, Davis, Faulk, Flowers, Freeman, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Logan, Marks, Mathis, McKee, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turnham, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—78

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Holmes:

H. R. 485. COMMENDING THE HONORABLE IRVING J. STOLBERG OF CONNECTICUT.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION TAKEN UP

Rep. Williams offered the motion to adopt the Budget Isolation Resolution relating to the bill, S. 133.

SUBSTITUTE MOTION TO POSTPONE TABLED

On motion of Rep. Williams, the substitute motion offered by Rep. Rogers to temporarily postpone the Budget Isolation Resolution relating to the bill, S. 133, was tabled.

Yeas 41; Nays 9.

Yeas:

Reps. Beasley, Beers, Biddle, Blake, Brooks, Carothers, Cosby, Crow, Curry, Faulk, Frazier, Freeman, Gaston, Hall, Haynes, Hettinger, Hogan, Hooper, Johnson (RG), Johnson (RW), Knight, Kvalheim, Mathis, McKee, Mikell, Payne, Perdue, Petelos, Poole, Richardson, Seibels, Slaughter, Spratt, Starkey, Turnham, Walker, White (G), White (L), Williams, Willis and Zoghby.

—41

Nays:

Reps. Bryant, Bugg, Grayson, Higginbotham, Holley, Newman, Reed, Rogers and White (F).

—9

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

SUBSTITUTE MOTION TO POSTPONE TABLED

On motion of Rep. Williams, the substitute motion offered by Rep. Rogers to postpone the Budget Isolation Resolution relating to the bill, S. 133, to the thirtieth legislative day, was tabled.

Yeas 43; Nays 2.

Yeas:

Mr. Speaker, Blake, Blakeney, Brooks, Carothers, Carter, Cosby, Crow, Curry, Flowers, Freeman, Gaston, Grouby, Hall, Harvey, Hettinger, Holley, Holmes, Hooper, Johnson (RW), Knight, Laird, Mathis, McKee, McMillan, Mikell, Moon, Perdue, Petelos, Richardson, Seibels, Slaughter, Spratt, Starkey, Turnham, Walker, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—43

Nays: Reps. Grayson and Rogers. —2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

SUBSTITUTE MOTION LOST

The substitute motion offered by Rep. Rogers to indefinitely postpone the Budget Isolation Resolution relating to the bill, S. 133, was lost.

Yeas 8; Nays 49.

Yeas:

Reps. Brooks, Grayson, Hettinger, Holley, Johnson (RW), Richardson, Rogers and White (F).

—8

Nays:

Mr. Speaker, Beasley, Biddle, Blake, Blakeney, Bryant, Burke, Buskey (JL), Butler, Carothers, Cosby, Crow, Curry, Dillard, Faulk, Flowers, Frazier, Gaston, Goodwin, Hamilton, Haynes, Hogan, Holmes, Hooper, Johnson (RG), Junkins, Knight, Mathis, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Seibels, Slaughter, Spratt, Starkey, Walker, White (G), White (L), Williams, Willis, Wright and Zoghby.

—49

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 318. To amend Sections 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, and 8-17-226, Code of Alabama 1975, which sections provide for the regulation of fireworks in Alabama, so as to provide further for such regulation.

Also:

S. 319. To amend Code of Alabama 1975, Section 12-17-224(a)(2) e.1.(ii) by redefining RESTITUTION to allow Worthless Check Units to collect the service charge of not more than $10.00 authorized by Alabama Code Sections 13A-9-13.1 through 13A-9-13.3 for the holder of a worthless check.

Also:

S. 296. To provide that persons now employed by state junior colleges and Athens State College who were employed by said institutions prior to such time as said institutions became state supported, may purchase credit for up to five years for such service under the Teachers' Retirement System of Alabama.

Also:

S. 417. To amend Section 40-18-14, Code of Alabama 1975, which defines the term "gross income" for state income tax purposes, so as to provide further for said definition.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed

the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Williams, Budget Isolation Resolution relating to S. B. 133, was adopted.

Yeas 62; Nays 1.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Flowers, Frazier, Gaston, Goodwin, Grayson, Grouby, Hamilton, Hammett, Haynes, Hettinger, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Mathis, McKee, McMillan, Mikell, Moon, Newman, Newton, Parker, Payne, Perdue, Petelos, Poole, Richardson, Seibels, Slaughter, Spratt, Starkey, Walker, White (L), Williams, Willis, Wright and Zoghby.

—62

Nay: Rep. Rogers. —1

And the bill:

S. 133. To define, specify principles of liability and defenses for, and prescribe the punishment for the crimes of: criminal solicitation to commit a controlled substance crime, attempt to commit a controlled substance crime, and criminal conspiracy to commit a controlled substance crime; to provide that criminal solicitation, attempt, and criminal conspiracy to commit a controlled substance crime are included offenses in any controlled substance crime that is charged; to specify the conduct to which this act applies; to repeal any conflicting laws; to provide for severability; and to provide an effective date.

Was read a third time at length and passed.

Yeas 78; Nays 1.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Frazier, Freeman, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Hettinger, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Laird, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turnham, Walker, Warren, White (G), Williams, Willis, Wright and Zoghby.

—78

Nay: Rep. Rogers. —1

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Rep. White (G) offered the motion to reconsider the vote by which the bill, S. 125 as amended, was passed, and the motion to reconsider was adopted.

MOTION TO RECONSIDER AMENDMENT ADOPTED

Having voted on the prevailing side, Rep. White (G) offered the motion to reconsider the vote by which the amendment reported by the Standing Committee on Ways and Means to the bill, S. 125, was adopted, and the motion to reconsider was adopted.

AMENDMENT TABLED

On motion of Rep. White (G), the amendment was tabled.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Black, Blake, Blakeney, Bowling, Brooks, Bryant, Burke, Butler, Carothers, Cosby, Crow, Curry, Dillard, Faulk, Flowers, Frazier, Gaston, Goodwin, Grayson, Grouby, Hall, Haynes, Hettinger, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Knight, Kvalheim, Laird, Logan, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Richardson, Seibels, Slaughter, Spratt, Starkey, Turnham, Walker, White (F), White (G), Williams, Willis, Wright and Zoghby.

—63

And the bill, S. 125, was again read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Freeman, Gaston, Goodwin, Grayson, Grouby, Hall, Harper, Harvey, Haynes, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Turnham, Walker, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—77

BUDGET ISOLATION RESOLUTION

On motion of Rep. Johnson (RW), Budget Isolation Resolution relating to S. B. 73, was adopted.

Yeas 78; Nays 0.

Yeas:

Reps. Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers,

Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Frazier, Freeman, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Turnham, Walker, White (F), White (G), White (L), Williams, Willis and Wright.

—78

S. 73 TEMPORARILY POSTPONED

On motion of Rep. Johnson (RW), the bill, S. 73, was temporarily postponed.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL 535

The Committee of Conferees appointed to reconcile the difference between the two Houses concerning House Bill 535 have met, considered the matter, and agreed to the following:

Substitute for H. B. 535 is attached.

JIMMY W. HOLLEY,
ALBERT HALL,
RONALD G. JOHNSON,

Conferees of the House.

E. C. FOSHEE,
RICHARD MANLEY,
JIM PREUITT,

Conferees of the Senate.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 6-5-481 of the Code of Alabama 1975, relating to definitions of terms used in the Alabama Medical Liability Act so as to provide further for the definition of the terms "Other Health Care Providers" and "Professional Corporation."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 6-5-481 of the Code of Alabama 1975 is hereby amended to read as follows:

"§6-5-481.

"For the purposes of this article, the following terms shall have the meanings respectively ascribed to them by this section:

"(1) MEDICAL PRACTITIONER. Anyone licensed to practice medicine or osteopathy in the state of Alabama, engaged in such practice, including medical professional corporations, associations and partnerships.

"(2) DENTAL PRACTITIONER. Anyone licensed to practice dentistry in the state of Alabama, engaged in such practice, including professional dental corporations, associations and partnerships.

"(3) MEDICAL INSTITUTION. Any licensed hospital, or any physician's ~~or~~, dentist's, or other health care provider's office or clinic containing facilities for the examination, diagnosis, treatment or care of human illnesses.

"(4) PROFESSIONAL CORPORATON. Any medical, ~~or~~ dental, optometric, or other health care provider's professional corporation or any medical, ~~or~~ dental, optometric or other health care provider's professional association.

"(5) PHYSICIAN. Any person licensed to practice medicine in Alabama.

"(6) DENTIST. Any person licensed to practice dentistry in Alabama.

"(7) HOSPITAL. Such institutions as are defined in section 22-21-21 as hospitals.

"(8) OTHER HEALTH CARE PROVIDERS. Any professional corporation or any person employed by physicians, dentists or hospitals who are directly involved in the delivery of health care services, or any chiropractor, optometrist, or pharmacist.

"(9) MEDICAL LIABILITY. A finding by a judge, jury or arbitration panel that a physician, dentist, medical institution or other health care provider did not meet the applicable standard of care, and that such failure was the proximate cause of the injury complained of, resulting in damage to the patient."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

REPORT OF COMMITTEE ON CONFERENCE ADOPTED

On motion of Rep. Holley, the House concurred in and adopted the report of the new Committee on Conference appointed to resolve the disagreement between the two Houses on the Senate amendment to the bill, H. 535.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Black, Blake, Blakeney, Bryant, Bugg, Burke, Carothers, Carter, Cosby, Crow, Curry, Davis, Dillard, Flowers, Frazier, Freeman, Fuller, Goodwin, Grayson, Hall, Hammett, Harvey, Hogan, Holley, Hooper, Johnson (RW), Junkins, Knight, Kvalheim, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Perdue, Petelos, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Walker, White (F), White (G), White (L), Williams, Willis and Wright.

—61

And the bill:

H. 535. To amend Section 6-5-481 of the Code of Alabama 1975, relating to definitions of terms used in the Alabama Medical Liability Act so as to provide further for the definition of the terms "Other Health Care Providers" and "Professional Corporation."

As thus amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Black, Blake, Blakeney, Brooks, Bryant, Bugg, Cosby, Crow, Curry, Davis, Dillard, Flowers, Frazier, Freeman, Gaston, Goodwin, Grayson, Hall, Harvey, Hettinger, Hogan, Holley, Hooper, Johnson (RW), Junkins, Knight, Kvalheim, Layson, Lindsey, Marks, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Petelos, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Turnham, Walker, White (F), White (G), White (L), Williams, Willis and Wright.

—59

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

H. B. 209. To amend Section 40-17-31 (a) and Section 40-17-171 and Section 40-17-220, Code of Alabama, 1975, to provide that purchases of gasoline and lubricating oil by city and county boards of education, the Alabama Institute for Deaf and Blind, Department of Youth Services School District, and private and parochial schools shall be exempt from taxation under the levy provided for in Section 40-17-31 (a) and Section 40-17-171 and Section 40-17-220, Code of Alabama, 1975.

And finds same correctly enrolled with Executive Amendment.

TOMMY CARTER,
Chairman.

SIGNING OF BILL

The Speaker Pro Tem of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 541. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding $6,000,000 in aggregate principal amount.

Also:

H. 570. To authorize each municipality in the State to donate certain real property (whether acquired prior to or subsequent to the enactment

hereof) to the United States of America for use by the said United States for defense and related purposes, to authorize each such municipality to issue its bonds, warrants or the evidences of indebtedness for the purpose of providing funds to purchase such real property and to authorize each such municipality to convey such real property to a "related public corporation" under Chapter 63 of Title 11 of the Code of Alabama of 1975 for the purpose of enabling such public corporation to donate the said real property to the United States.

Also:

H. B. 796. To amend portions of Section 24-1A-1 of the Code of Alabama 1975, relating to the legislative findings and declaration of purpose underlying Chapter 1A of Title 24 of the Code of Alabama 1975; to amend the definition of "eligible housing unit" appearing in Section 24-1A-2(5) of the Code of Alabama 1975, so as to provide that eligible housing units may include multi-family dwelling units for occupancy by persons and families without restriction as to their income, other than applicable federal restrictions; and to amend Section 24-1A-9 of the Code of Alabama 1975, so as to provide further for the limitation on issuance of certain bonds by the Alabama Housing Finance Authority.

Also:

H. 861. Relating to Clarke County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector; prescribing the amount of salary and method of payment of salary; repealing conflicting laws; providing for an advisory referendum; and prescribing the effective date of this act.

Also:

H. 958. To propose an amendment to the Constitution of Alabama of 1901, to authorize the levy and collection of an additional property tax within the Roanoke School District, Randolph County, for public education purposes.

Also:

H. 1066. Relating to Mobile County; levying an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in the county; providing for the assessment, collection, and distribution of the proceeds of the tax, and of the adoption and promulgation of rules and regulations therefor by the governing body of said county; defining violations of the act, and prescribing penalties therefor.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker Pro Tem of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum

present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Preuitt:

S. J. R. 189. CREATING THE INTERIM TALLADEGA COUNTY GOVERNMENTAL STUDY COMMITTEE AND SUBCOMMITTEE FOR BETTER GOVERNMENT.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created the Interim Talladega County Governmental Study Committee and Subcommittee for Better Government for the purpose of determining how to operate county government more efficiently and economically. The Interim Talladega County Governmental Study Committee shall be composed of the three members of the Talladega County Legislative Delegation. The members of the Talladega County Governmental Study Subcommittee shall be appointed by the three members of the said Governmental Study Committee as follows: Each member of the House of Representatives shall appoint four citizens of Talladega County and the Senator from Talladega County shall appoint seven citizens from Talladega County for a total of 15 members of said subcommittee. A temporary chairman of the Governmental Subcommittee shall be appointed by the Study Committee to preside over the first meeting for the election of officers. Vacancies shall be filled by the original appointing authority. The said Study Committee and Subcommittee are authorized and empowered to investigate and to gather information, analyze and study such information, to make recommendations, suggest and propose measures to be taken for the sake of efficiency and economy in government. The Interim Talladega County Governmental Study Committee and Subcommittee for Better Government shall have subpoena powers to subpoena any documents, financial records and witnesses necessary to carry out the intent of the Legislature.

BE IT FURTHER RESOLVED, The Governmental Study Subcommittee shall meet on the first and third Thursday of each month at 7:00 p.m. and serve as the primary information gathering committee. The financial and other data and information pertaining to county government gathered by said subcommittee shall be examined and analyzed by the subcommittee. Areas of county government and county finances to be examined shall include without limitation the following:

(1) The problems of the Talladega County jail and whether or not to build a new facility;

(2) Industrial Development for additional jobs in the county;

(3) The operation of the Talladega County Government and how to make it more efficient and economically sound;

(4) Compensation of Talladega County elected officials;

(5) The tax structure and debt structure of Talladega County.

(6) The type of Government that would best serve the people of Talladega County, such as part-time versus full-time officials among other considerations.

BE IT FURTHER RESOLVED, That the Interim Talladega County Governmental Study Committee for Better Government shall meet no later than August 5, 1987, and appoint a chairman, vice-chairman and a secretary treasurer. The secretary shall record all official actions of all meetings and make the same available to the public at an appropriate place in the courthouse or otherwise.

BE IT FURTHER RESOLVED, That the members of the Talladega County Governmental Study Subcommittee for Better Government shall be appointed by August 10, 1987, and that each appointing authority shall file with the chief clerk of the Talladega County Probate Office the name, address and telephone number of his or her appointee no later than August 10, 1987. An organizational meeting of said subcommittee shall be held at the county courthouse at 7:00 p.m., August 20, 1987, for the purpose of electing a chairman, vice-chairman, secretary and a treasurer and such other officers as the Study Subcommittee deems necessary. The secretary shall record all official actions of all meetings and make the same available to the public at an appropriate place in the courthouse or otherwise. At the initial meeting, no official actions shall be taken except elections and a time fixed for the next meeting. Every effort shall be made to publicize all meetings of the Study Subcommittee and all meetings shall be open to the public.

RESOLVED FURTHER, That Study Committee and Subcommittee members shall serve without pay or expenses and no county funds other than for clerical assistance and supplies shall be expended, but the county commission may provide clerical assistance and supplies when requested by the Study Committee or Subcommittee chairman; provided, however, the Study Committee and Subcommittee may accept contributions and expend same by majority vote of a quorum of the committee or subcommittee, with both the chairman and treasurer endorsing checks. A quorum for transacting any official business shall be one more than half the number serving.

BE IT FURTHER RESOLVED, That the Study Subcommittee shall report its findings, conclusions and recommendations to the Talladega County governing body and to the Interim Talladega County Governmental Study Committee for Better Government composed of the Talladega County Legislative Delegation no later than January 15, 1988, at which time the Interim Talladega County Governmental Study Committee and Subcommittee shall be dissolved.

BE IT FURTHER RESOLVED, That copies of this resolution shall be sent to each member of the Talladega County Commission, each member of the Talladega County Board of Education, and to all incorporated cities and municipalities of Talladega County.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Haynes, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 189, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 99. CREATING THE JOINT INTERIM COMMITTEE ON THE DISPOSAL OF SCRAP TIRES.

Also:

H. J. R. 119. CREATING A JOINT LEGISLATIVE INTERIM COMMITTEE TO STUDY THE STEEL INDUSTRY.

Also:

H. J. R. 207. EXPRESSING THE LEGISLATIVE INTENT OF ACT 81-451.

Also:

H. J. R. 359. MEMORIALIZING THE PRESIDENT AND U. S. CONGRESS TO SUPPORT THE IMPLEMENTATION OF THE UNITED STATES DEPARTMENT OF AGRICULTURE'S AFRICANIZED BEE BARRIER PROPOSAL.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 251. To define and set the punishment for the crimes of: unlawful distribution of controlled substances; unlawful possession or receipt of controlled substances; and unlawful possession of marihuana in the first and second degrees; to amend Code of Alabama 1975, 20-2-71, 20-2-72, 20-2-73; and 20-2-74; to provide for the incorporation of the provisions of this act into title 13A of the Code of Alabama 1975; to repeal Code of Alabama 1975, §§20-2-70, 20-2-76, and 20-2-77, and any and all other laws or parts of laws that conflict with this act, insofar as conduct occurring after the effective date of this act is concerned; to provide that this act is supplemental to other laws not inconsistent with this act and shall not be deemed to repeal such laws; to specify the conduct to which this act applies; to provide for severability; and, to provide an effective date.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 143. To further amend Section 25-5-9, Code of Alabama 1975, as amended, relating to industrial relations and labor, and employers' liabilities

for qualifying as self-insurers, so as to provide further therefor, to permit pooling liabilities for reinsurance purposes.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 211. To provide for the sacking and tagging of oysters taken from Alabama waters for commercial purposes; to prohibit the possession of empty oyster sacks with oyster tags attached thereto; to prohibit the sale, purchase or possession of oysters in violation thereof; to prescribe penalties for the violation thereof; and to provide for the purchase of oyster tags from the Department of Conservation and Natural Resources, and the use of the receipts therefrom.

Also:

H. 577. To amend §32-9-2, which exempts cotton wagons from general trailer restrictions so as to also exempt module-movers and to increase the width and length of the trailers and module-movers from eight feet wide and 75 feet long to 10 feet wide and 85 feet long.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 217. To amend Section 9-12-80, Code of Alabama 1975, relating to seafood license fees for certain nonresidents and boats, so as to change the fees for certain nonresidents and boats for certain seafood licenses in Alabama from double the cost for Alabama residents and boats to the cost charged Alabama residents and boats for a similar license in that state; and to provide that in no event shall said nonresidents and boats pay less than twice the cost for said licenses that Alabama residents pay.

Also:

H. 584. To amend Section 2-19-131, providing for certification of the official cotton growers' organization to allow said organization to borrow funds for the purpose of eradicating the boll weevil; to amend Section 2-19-135, providing procedures to be used when assessments are not paid to also declare that assessments constitute a lien which the Commissioner of Agriculture and Industries is authorized to collect.

McDOWELL LEE,
Secretary.

SPECIAL ORDER RESUMED

And the bill:

S. 73. To provide further for the number of students in state funded academic classrooms in the public schools in Alabama.

Was taken up.

AMENDMENT OFFERED

Rep. Adams offered the following amendment #1 to the bill, S. 73:

Amend Senate Bill 73, page 3, Section 4, beginning on line 31, by striking Section 4 in its entirety and substituting in lieu thereof a new Section 4 to read as follows:

Section 4. Funding to reduce the pupil teacher ratio under Section 1 of this Act shall be appropriated from the Alabama Special Educational Trust Fund annually. However, to implement this act a House and Senate Joint Resolution must be passed and signed by the Governor affirming that funds are available for the following fiscal year. Failure to pass a Joint Resolution will result in temporary suspension of this program for one fiscal year.

Further amend the bill, page 4, immediately following line 7, by adding a new Section 5 to read as follows:

Section 5. Before implementation of this act, the State Board of Education shall certify to the Legislature that adequate facilities are available to accommodate additional teacher units before participation by any school system.

Further amend the bill by renumbering remaining sections accordingly.

AMENDMENT TABLED

On motion of Rep. Johnson (RW), the amendment #1 offered by Rep. Adams to the bill, S. 73, was tabled.

Yeas 40; Nays 35.

Yeas:

Mr. Speaker, Beasley, Biddle, Black, Bryant, Bugg, Buskey (JE), Buskey (JL), Butler, Clark (W), Crow, Curry, Davis, Frazier, Fuller, Grayson, Grouby, Holley, Holmes, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Laird, Mathis, McDowell, Melton, Moon, Newman, Parker, Perdue, Slaughter, Thomas, Walker, Warren, White (F), White (L), Willis and Zoghby.

—40

Nays:

Reps. Adams, Beers, Blake, Blakeney, Box, Brooks, Carothers, Cosby, Dillard, Flowers, Freeman, Gaston, Goodwin, Hall, Hammett, Harvey, Haynes, Hettinger, Higginbotham, Hogan, Hooper, Kvalheim, McKee, McMillan,

Mikell, Petelos, Reed, Richardson, Seibels, Spratt, Starkey, Turnham, White (G), Williams and Wright.

—35

AMENDMENT OFFERED

Rep. Adams offered the following amendment #2 to the bill, S. 73:

Amend Senate Bill 73, page 3, line 33, after the period by adding the following:

For the implementation, funding from state, local and federal sources shall be included for the calculation and implementation required herein.

AMENDMENT TABLED

On motion of Rep. Johnson (RW), the amendment #2 offered by Rep. Adams to the bill, S. 73, was tabled.

Yeas 39; Nays 25.

Yeas:

Mr. Speaker, Beasley, Black, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Clark (W), Crow, Curry, Davis, Frazier, Grayson, Harvey, Hogan, Holley, Holmes, Johnson (RG), Johnson (RW), Junkins, Kennedy, Laird, Lindsey, Mathis, McDowell, Melton, Moon, Newman, Parker, Slaughter, Thomas, Walker, Warren, White (F), White (L), Williams and Willis.

—39

Nays:

Reps. Adams, Blakeney, Box, Brooks, Carothers, Cosby, Flowers, Freeman, Gaston, Goodwin, Hall, Hammett, Haynes, Hettinger, Higginbotham, Knight, Kvalheim, McKee, McMillan, Mikell, Petelos, Richardson, Seibels, Starkey and Wright.

—25

AMENDMENT OFFERED

Rep. Adams offered the following amendment #3 to the bill, S. 73:

Amend Senate Bill 73, Section 3, page 4, line 1 after the word "passed" by striking the following:

~~three fifths (3/5) vote of each chamber~~

and substituting in lieu thereof the following:

by each chamber

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Flowers, Frazier, Freeman,

Gaston, Goodwin, Grayson, Grouby, Hall, Hammett, Harvey, Haynes, Hettinger, Higginbotham, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turnham, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—80

And the bill, S. 73, as thus amended, was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Flowers, Frazier, Freeman, Gaston, Goodwin, Grayson, Grouby, Hall, Hammett, Harvey, Haynes, Hettinger, Higginbotham, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turnham, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—83

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 143. To further amend Section 25-5-9, Code of Alabama 1975, as amended, relating to industrial relations and labor, and employers' liabilities for qualifying as self-insurers, so as to provide further therefor, to permit pooling liabilities for reinsurance purposes.

Also:

H. 251. To define and set the punishment for the crimes of: unlawful distribution of controlled substances; unlawful possession or receipt of controlled substances; and unlawful possession of marihuana in the first and second degrees; to amend Code of Alabama 1975, 20-2-71, 20-2-72, 20-2-73; and 20-2-74; to provide for the incorporation of the provisions of this act into Title 13A of the Code of Alabama 1975; to repeal Code of Alabama 1975, §§20-2-70, 20-2-76, and 20-2-77, and any and all other laws or parts of laws that conflict with this act, insofar as conduct occurring after the effective date of this act is concerned; to provide that this act is supplemental to other laws not inconsistent with this act and shall not be deemed to repeal such laws; to specify the conduct to which this act applies; to provide for severability; and, to provide an effective date.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 99. CREATING THE JOINT INTERIM COMMITTEE ON THE DISPOSAL OF SCRAP TIRES.

Also:

H. J. R. 119. CREATING A JOINT LEGISLATIVE INTERIM COMMITTEE TO STUDY THE STEEL INDUSTRY.

Also:

H. J. R. 207. EXPRESSING THE LEGISLATIVE INTENT OF ACT 81-451.

Also:

H. J. R. 359. MEMORIALIZING THE PRESIDENT AND U. S. CONGRESS TO SUPPORT THE IMPLEMENTATION OF THE UNITED STATES DEPARTMENT OF AGRICULTURE'S AFRICANIZED BEE BARRIER PROPOSAL.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Burke, Budget Isolation Resolution relating to S. B. 485, was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Black, Blake, Blakeney, Box, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (W), Cosby,

Crow, Curry, Davis, Dillard, Faulk, Flowers, Frazier, Freeman, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Hammett, Harvey, Haynes, Hettinger, Higginbotham, Hogan, Holley, Holmes, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Perdue, Petelos, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Turnham, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—77

And the bill:

S. 485. To further amend Section 41-9-682, Code of Alabama 1975, which section provides for the general powers of the Alabama music hall of fame, so as to further authorize the board to constitute a bond authority for the purposes of issuing general obligation bonds for capital outlay purposes, and for the purposes for which it was created; to provide for the circumstances under which the state of Alabama shall make payments on the costs incurred as a result of any such bond issue and to pledge its full faith and credit if necessary; to provide for the operation of such authority, its powers, duties and the allocation of bond proceeds; and to exempt such authority from any taxes of any nature, whether state, local or special.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Black, Blakeney, Bowling, Box, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Coburn, Crow, Curry, Davis, Dillard, Drake, Frazier, Freeman, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Hammett, Haynes, Hettinger, Higginbotham, Hogan, Holley, Holmes, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Rains, Reed, Richardson, Rogers, Seibels, Spratt, Starkey, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—74

BUDGET ISOLATION RESOLUTION

On motion of Rep. Burke, Budget Isolation Resolution relating to S. B. 486, was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Faulk, Flowers, Frazier, Freeman, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Hammett, Harvey, Haynes, Hettinger, Higginbotham, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McKee, McMillan, Melton, Moon, Newman, Parker, Payne, Perdue, Petelos, Rains, Reed, Richardson,

Rogers, Seibels, Spratt, Starkey, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—81

And the bill:

S. 486. To propose an amendment to the Constitution of Alabama of 1901, as amended, which relates to the authority of the Alabama music hall of fame board to constitute an authority to issue general obligation bonds for capital outlay purposes and for the purposes for which it was created and to prescribe the powers thereof; to provide for the operation of the board as such authority, the allocation and expenditure of funds; to provide for exemptions from any and all taxes of any nature whatsoever; to provide that in the event appropriations, current revenues or bond proceeds are insufficient to cover costs, the state of Alabama shall pledge its full faith and credit; to provide that the legislature may enact subsequent legislation relating to said music hall supplemental to this amendment or in furtherance of the purposes and objectives of the provisions not in conflict herewith; and to provide that this amendment shall be self-executing when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285 and 287 of the Constitution of Alabama of 1901, as amended.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Britnell, Bryant, Burke, Buskey (JL), Butler, Carothers, Carter, Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Frazier, Freeman, Gaston, Goodwin, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Higginbotham, Hogan, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos Rains, Reed, Rogers, Seibels, Spratt, Starkey, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—74

BUDGET ISOLATION RESOLUTION

On motion of Rep. Buskey (JE), Budget Isolation Resolution relating to S. B. 251, was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Brooks, Bryant, Bugg, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Cosby, Crow, Curry, Davis, Dillard, Drake, Faulk, Flowers, Freeman, Gaston, Goodwin, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hogan, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Rains, Rogers, Seibels, Slaughter,

Spratt, Starkey, Turnham, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—77

And the bill:

S. 251. (With Amendment): To amend Section 13A-6-60, Code of Alabama 1975, so as to remove the exemption from criminal responsibility of the spouse for rape and redefine the term "female" which excludes married victims.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend Senate Bill 251, Section 1, Page 1, Line 19, by striking the following: ~~follows~~ and substituting in lieu thereof: follows

And the amendment was adopted.

Yeas 61; Nays 1.

Yeas:

Mr. Speaker, Beasley, Beers, Black, Blakeney, Box, Brooks, Bryant, Bugg, Buskey (JE), Butler, Carothers, Clark (W), Crow, Curry, Davis, Dillard, Drake, Faulk, Flowers, Freeman, Gaston, Grouby, Hall, Harper, Haynes, Hettinger, Higginbotham, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Richardson, Rogers, Spratt, Starkey, Turnham, Warren, White (G), Willis and Wright.

—61

Nay: Rep. Frazier —1

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 211. To provide for the sacking and tagging of oysters taken from Alabama waters for commercial purposes; to prohibit the possession of empty oyster sacks with oyster tags attached thereto; to prohibit the sale, purchase or possession of oysters in violation thereof; to prescribe penalties for the violation thereof; and to provide for the purchase of oyster tags from the Department of Conservation and Natural Resources, and the use of the receipts therefrom.

Also:

H. 217. To amend Section 9-12-80, Code of Alabama 1975, relating to seafood license fees for certain nonresidents and boats, so as to change the fees for certain nonresidents and boats for certain seafood licenses in Alabama

from double the cost for Alabama residents and boats to the cost charged Alabama residents and boats for a similar license in that state; and to provide that in no event shall said nonresidents and boats pay less than twice the cost for said licenses that Alabama residents pay.

Also:

H. 577. To amend §32-9-2, which exempts cotton wagons from general trailer restrictions so as to also exempt module-movers and to increase the width and length of the trailers and module-movers from eight feet wide and 75 feet long to 10 feet wide and 85 feet long.

Also:

H. 584. To amend Section 2-19-131, providing for certification of the official cotton growers' organization to allow said organization to borrow funds for the purpose of eradicating the boll weevil; to amend Section 2-19-135, providing procedures to be used when assessments are not paid to also declare that assessments constitute a lien which the Commissioner of Agriculture and Industries is authorized to collect.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

S. 251 RESUMED

MOTION TO POSTPONE TABLED

On motion of Rep. Buskey (JE), the motion offered by Rep. Frazier to temporarily postpone the bill, S. 251 as amended, was tabled.

Yeas 47; Nays 13.

Yeas:

Mr. Speaker, Beers, Black, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Curry, Davis, Flowers, Fuller, Gaston, Grayson, Hamilton, Hammett, Hettinger, Hogan, Holmes, Johnson (RG), Junkins, Kennedy, Knight, Layson, Marietta, McClain, McDowell, McMillan, Moon, Newman, Parker, Penry, Perdue, Petelos, Reed, Richardson, Rogers, Starkey, Warren, White (G), White (L), Wright and Zoghby.

—47

Nays:

Reps. Biddle, Bowling, Cosby, Crow, Drake, Faulk, Frazier, Holley, Mathis, Payne, Walker, White (F) and Willis.

—13

AMENDMENT OFFERED

Rep. Frazier offered the following amendment to the bill, S. 251 as amended:

Amend S. B. 251 on page 1, Section 1, line(s) 33 by (adding) after the word person the following: who is not married to the actor

S. 251 TEMPORARILY POSTPONED

On motion of Rep. Buskey (JE), the bill, S. 251 as amended, and the pending amendment were temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 338. To authorize the state board of health to designate and require proper reporting of notifiable diseases; to require reporting of designated notifiable diseases by certain persons and to provide for confidentiality of such reports; to provide for quarantine of certain persons afflicted with a notifiable disease; to require disclosure of certain medical records to the state health officer; to empower the state board of health to investigate and suppress notifiable diseases; to provide for penalties for failure to report notifiable diseases; to require obedience to the lawful orders of health officials regarding notifiable diseases; to require reports of active or suspected active cases of tuberculosis; to provide for commitment, after hearing before the probate judge, of recalcitrant persons infected with tuberculosis; to allow for admission to regional contract tuberculosis hospitals of persons with other types of chronic lung diseases; to provide for treatment by the state board of health of persons infected with tuberculosis; to authorize the state board of health to designate and treat sexually transmitted diseases and to require reporting thereof; to require testing for syphilis of all persons seeking a marriage license; to require sexually transmitted disease serologic testing of all pregnant women and require reporting of positive results; to require testing for designated sexually transmitted diseases of all inmates in correctional facilities and jails and require reporting of positive results; to require confinement, after hearing, of persons with designated sexually transmitted diseases; to remove the disabilities of non-age from minors 12 years or older as to treatment for designated sexually transmitted diseases; to require instruction in measures of preventing designated sexually transmitted diseases; to prescribe the penalty for treating designated sexually transmitted diseases without a license as a physician; to prescribe the penalty for transmitting designated sexually transmitted diseases; to provide for confidentiality of designated sexually transmitted disease records; to require all persons to seek and accept treatment for designated notifiable diseases; to require compulsory testing, treatment and quarantine of persons infected with designated notifiable diseases and who refuse same, after hearing before the probate judge; to prescribe the manner and form of quarantine petitions; to require the

probate judge to hear such petitions; to require compulsory attendance at hearings by persons suspected of being infected with designated notifiable disease; to allow for the appointment of attorney and guardian ad litem for persons suspected of having designated notifiable disease; to allow commitment hearings in absentia under certain conditions; to specify the findings that the probate judge must make prior to commitment of persons afflicted with designated notifiable disease; to provide for jurisdiction of probate courts; to provide for payment of fees to court appointed attorneys and guardians ad litem; to provide for appeal from commitment orders; and to allow quarantine of inmates suspected of being infected with designated notifiable disease.

Also:

H. 367. To amend Section 32-5-17, Code of Alabama 1975, relating to the certain casting of a light onto certain real property from or with the aid of a motor vehicle, so as to provide for the prohibition of such activity between sunset and sunrise on any real property, to further provide for exceptions, and to further provide for penalties for the violation thereof.

Also:

H. 483. To amend Section 37-6-4 so as to allow a generating or transmission cooperative to use the word "power" in its name in lieu of the words "electric" or "cooperative" and to delete the requirement that the name of distribution cooperatives contain the word "electric."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 628. To provide for the creation of the offenses of theft of property by charitable fraud and charitable fraud; to provide for criminal penalties; and to provide civil remedies to stop or prevent theft of property by charitable fraud and charitable fraud.

Also:

H. 845. Relating to members of the board of registrars of this state; to amend Section 17-4-153, Code of Alabama 1975, relating to the salary of the boards of registrars, to provide that a certain salary shall be paid to each member of a board of registrars for each day's attendance upon business of the board; to provide that the said salary plus the employer share of the social security or Federal Insurance Corporation Act tax shall be paid to the county commissions and the salary shall be disbursed by the county commissions to each member of a board of registrars; to provide for the reimbursement of travel and other expenses to the county commissions based on a written request submitted to the state comptroller; to state the legislative intent of this act; to provide that such members of the boards of registrars of this state shall be treated as other state and county employees are treated for social security purposes; to direct that the state office for social security and the state comptroller and each county commission shall take all necessary action to insure that such board members are treated as other state and

county employees in regard to social security protection and benefits as provided in Chapter 28 of Title 36 of the Code of Alabama, including, if necessary, amending the federal-state agreement referred to in said Chapter 28 of Title 36 of the Code of Alabama; to provide for the repeal of inconsistent laws or parts of laws; to provide for the severability of this act; and to provide the manner in which this bill becomes law.

McDOWELL LEE,
Secretary.

REQUEST FOR COMMITTEE TO MEET

At the request of Rep. Harper, leave of the House was granted for the Standing Committee on Ways and Means to meet while the House is in session.

S. 251 RESUMED

AMENDMENT TABLED

The question was then on the amendment offered by Rep. Frazier to the bill, S. 251 as amended, and on motion of Rep. Zoghby, the amendment was tabled.

Yeas 49; Nays 6.

Yeas:

Mr. Speaker, Beasley, Black, Blakeney, Brooks, Bryant, Bugg, Buskey (JE), Buskey (JL), Carothers, Clark (W), Cosby, Curry, Davis, Dillard, Faulk, Gaston, Grayson, Grouby, Hammett, Haynes, Hogan, Holmes, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Mathis, McClain, McDowell, Mikell, Moon, Newman, Parker, Perdue, Petelos, Poole, Rains, Reed, Rogers, Slaughter, Spratt, Starkey, White (L), Williams, Wright and Zoghby.

—49

Nays: Reps. Biddle, Crow, Drake, Frazier, Payne and Willis. —6

REQUEST FOR COMMITTEE TO MEET

At the request of Rep. Britnell, leave of the House was granted for the Standing Committee on Highway Safety to meet while the House is in session.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 602. To provide for a Class A misdemeanor punishment for violation of the Alabama Department of Public Safety promulgated rules governing motor carrier safety regulations and hazardous material regulations.

Also:

H. 782. To specifically exempt all purchases made with food stamps from all state, county and municipal sales and use taxes; to make such exemption contingent upon the continued requirement of federal law that

conditions the states' participation in the food stamp program upon exempting purchases made with food stamps; to provide that the provisions of this act shall become inoperative, null and void if the food stamp sales tax amendment is either ruled unconstitutional or unenforceable by a federal court or is repealed by Congress; and to provide that provisions of act shall become operative on October 1, 1987.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 189. To further provide for the enforcement of the controlled substances laws in the dental profession and related occupations; to further provide for the investigative powers of the board of dental examiners relating to drug or controlled substances violations; to amend Section 34-9-43, Code of Alabama 1975, as amended, relating to the general powers and duties, so as to provide that the board's investigators shall have the powers of peace officers and arrest relative to the enforcement of the drug and controlled substances laws; to further amend Sections 20-2-90 and 20-2-91, Code of Alabama 1975, as amended, relating to the enforcement of such laws and the inspections of prescriptions, orders, and records therefor, so as to authorize the investigators of the board of dental examiners to execute such powers to effectively investigate drug or controlled substances violations; to further provide for the board's investigators' qualifications; and to exclude such persons from certain allowances.

Also:

H. 565. To provide that only one municipal sales (gross receipts) or use tax and only one county sales or use tax shall be collected or paid on the same sale.

McDOWELL LEE,
Secretary.

S. 251 RESUMED

And the bill, S. 251 as amended, was read a third time at length and passed.

Yeas 62; Nays 6.

Yeas:

Mr. Speaker, Adams, Beasley, Black, Blakeney, Brooks, Bryant, Bugg, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Crow, Curry, Davis, Dillard, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hammett, Hettinger, Higginbotham, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Marietta, Mathis, McClain, McDowell, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Thomas, Venable, Warren, Williams, Willis, Wright and Zoghby.

—62

Nays: Reps. Biddle, Bowling, Drake, Faulk, Frazier and Haynes. —6

PERMISSION GRANTED

Permission was granted for the Journal to reflect that Rep. Cosby would have voted "Yea" on the bill, S. 251 as amended, had he been in the Chamber at the time of voting.

MOTION TO RECESS

Rep. Warren offered the motion that the House recess from 6:00 o'clock p.m. until 8:00 o'clock p.m.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 84. To amend Sections 11-46-21, 11-46-22, 11-46-24, 11-46-25, 11-46-26, 11-46-27, 11-46-36, 11-46-40, 11-46-51, and 11-43-2, Code of Alabama 1975, relating to municipal elections, so as to establish the dates of municipal elections in certain cities or towns having the mayor-council form of government; and to establish dates and other procedures required in connection with such elections.

Also:

H. 124. To define the purpose and the terms used in this Act; to regulate the collection of wild ginseng; to provide for registration of dealers, collectors and growers and to provide for record keeping; to provide for export permits; to provide for rules and regulations; to provide for a monitoring program and right of entry; to provide for procedures for reselling or refusal to issue certificates and permits and appeals therefrom; to provide for penalties for violations and to grant powers of sheriffs on agents in the enforcement of this Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 321. To clarify and extend the authority of city and county boards of education to manage the public schools over which they have legal responsibility.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Hammett, the House concurred in and adopted the Senate amendment to the bill, H. 321, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To clarify and extend the authority of city and county boards of education to manage the public schools over which they have legal responsibility.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In addition to all authority previously granted by statute, city and county boards of education may enter into cooperative agreements, projects, and programs with the city council or commission or the county commission respectively, and may take such other actions as they deem necessary and appropriate for the proper management of the public schools; provided, however, that such agreements, projects, and programs shall not be in conflict with nor inconsistent with any law or policy of the State Board of Education and shall not conflict with the purposes for which the school system is established. Provided, further, that such authority shall not be used to deny any employee any legal or constitutional rights to which he or she is entitled, nor shall such authority be used in such a way that employees are denied any benefits established and required by law, nor shall such authority be construed as authorizing city and county boards of education to levy any taxes not otherwise authorized by law.

Section 2. All laws or parts of laws which conflict herewith are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval of the Governor or upon its otherwise becoming a law.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker, Black, Blakeney, Britnell, Brooks, Bryant, Bugg, Buskey (JE), Buskey (JL), Butler, Clark (W), Crow, Curry, Davis, Dillard, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harvey, Haynes, Hettinger, Higginbotham, Hogan, Holley, Holmes, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Marks, McDowell, McMillan, Mikell, Moon, Newman, Parker, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Venable, Walker, Warren, White (L), Willis, Wright and Zoghby.

—60

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Kvalheim, Budget Isolation Resolution relating to S. B. 207, was adopted.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker, Black, Blakeney, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Frazier, Freeman, Gaston, Goodwin, Grayson, Hall, Hamilton, Hammett, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Laird, Logan, Marks, Mathis, McClain, McDowell, Mikell, Moon, Newman, Parker, Perdue, Petelos, Poole, Rains, Richardson, Rogers, Seibels, Slaughter, Walker, Warren, White (L), Willis, Wright and Zoghby.

—63

And the bill:

S. 207. To amend §34-24-75 by deleting the provision permitting the issuance of a certificate of qualification for license to practice medicine to

a commissioned officer of the medical corps of the army, navy, the air force or the public health service of the United States.

Was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Black, Blakeney, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Frazier, Freeman, Gaston, Goodwin, Grayson, Hall, Hamilton, Hammett, Harvey, Haynes, Hettinger, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Kennedy, Knight, Kvalheim, Laird, Logan, Marks, Mathis, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Richardson, Rogers, Seibels, Slaughter, Walker, Warren, White (G), White (L), Willis and Wright.

—63

BUDGET ISOLATION RESOLUTION

On motion of Rep. Gaston, Budget Isolation Resolution relating to S. B. 490, was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blakeney, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Frazier, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Hettinger, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Richardson, Rogers, Seibels, Slaughter, Spratt, Thomas, Walker, Warren, White (F), White (G), White (L), Willis and Wright.

—74

And the bill:

S. 490. Renaming the Plumbers Examining Board established by Act No. 529 of the 1949 Regular Session of the Legislature (Acts 1949, p. 827), as amended; continuing the existence of such board; authorizing such board to exercise certain statewide licensing authority over plumbers and gas fitters; defining certain terms relating to plumbing and gas fitting as used in this act; prescribing procedures for appointing successors to the current members of such board; prescribing regulations relative to the scope of authority of local and state licenses issued to plumbers and gas fitters; prescribing procedures for the testing and licensing of plumbers and gas fitters under this act; providing for the compensation and expenses of the members of such board and its hired or contracted employees; authorizing such board to adopt a fee schedule; prescribing procedures for revoking licenses; authorizing such board to enter into certain reciprocity agreements with other states; prescribing penalty for violation of this act and providing for supplemental effect.

Was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Reps. Beasley, Beers, Biddle, Black, Blakeney, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Frazier, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Hettinger, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marietta, Marks, McClain, McDowell, Melton, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Richardson, Rogers, Seibels, Spratt, Thomas, Walker, Warren, White (F), White (G), White (L), Willis, Wright and Zoghby.

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 338. To authorize the state board of health to designate and require proper reporting of notifiable diseases; to require reporting of designated notifiable diseases by certain persons and to provide for confidentiality of such reports; to provide for quarantine of certain persons afflicted with a notifiable disease; to require disclosure of certain medical records to the state health officer; to empower the state board of health to investigate and suppress notifiable diseases; to provide for penalties for failure to report notifiable diseases; to require obedience to the lawful orders of health officials regarding notifiable diseases; to require reports of active or suspected active cases of tuberculosis; to provide for commitment, after hearing before the probate judge, of recalcitrant persons infected with tuberculosis; to allow for admission to regional contract tuberculosis hospitals of persons with other types of chronic lung diseases; to provide for treatment by the state board of health of persons infected with tuberculosis; to authorize the state board of health to designate and treat sexually transmitted diseases and to require reporting thereof; to require testing for syphilis of all persons seeking a marriage license; to require sexually transmitted disease serologic testing of all pregnant women and require reporting of positive results; to require testing for designated sexually transmitted diseases of all inmates in correctional facilities and jails and require reporting of positive results; to require confinement, after hearing, of persons with designated sexually transmitted diseases; to remove the disabilities of non-age from minors 12 years or older as to treatment for designated sexually transmitted diseases; to require instruction in measures of preventing designated sexually transmitted diseases; to prescribe the penalty for treating designated sexually transmitted diseases without a license as a physician; to prescribe the penalty for transmitting designated sexually transmitted diseases; to provide for confidentiality of designated sexually transmitted disease records; to require all persons to seek and accept treatment for designated notifiable diseases; to require compulsory testing, treatment and quarantine of persons infected with designated notifiable diseases and who refuse same, after hearing before the probate judge; to prescribe the manner and form of quarantine petitions; to require the probate judge to hear such petitions; to require compulsory attendance at hearings by persons suspected of being infected with designated notifiable

disease; to allow for the appointment of attorney and guardian ad litem for persons suspected of having designated notifiable disease; to allow commitment hearings in absentia under certain conditions; to specify the findings that the probate judge must make prior to commitment of persons afflicted with designated notifiable disease; to provide for jurisdiction of probate courts; to provide for payment of fees to court appointed attorneys and guardians ad litem; to provide for appeal from commitment orders; and to allow quarantine of inmates suspected of being infected with designated notifiable disease.

Also:

H. 367. To amend Section 32-5-17, Code of Alabama 1975, relating to the certain casting of a light onto certain real property from or with the aid of a motor vehicle, so as to provide for the prohibition of such activity between sunset and sunrise on any real property, to further provide for exceptions, and to further provide for penalties for the violation thereof.

Also:

H. 483. To amend Section 37-6-4 so as to allow a generating or transmission cooperative to use the word "power" in its name in lieu of the words "electric" or "cooperative" and to delete the requirement that the name of distribution cooperatives contain the word "electric."

Also:

H. 628. To provide for the creation of the offenses of theft of property by charitable fraud and charitable fraud; to provide for criminal penalties; and to provide civil remedies to stop or prevent theft of property by charitable fraud and charitable fraud.

Also:

H. 845. Relating to members of the board of registrars of this state; to amend Section 17-4-153, Code of Alabama 1975, relating to the salary of the boards of registrars, to provide that a certain salary shall be paid to each member of a board of registrars for each day's attendance upon business of the board; to provide that the said salary plus the employer share of the social security or Federal Insurance Corporation Act tax shall be paid to the county commissions and the salary shall be disbursed by the county commissions to each member of a board of registrars; to provide for the reimbursement of travel and other expenses to the county commissions based on a written request submitted to the state comptroller; to state the legislative intent of this act; to provide that such members of the boards of registrars of this state shall be treated as other state and county employees are treated for social security purposes; to direct that the state office for social security and the state comptroller and each county commission shall take all necessary action to insure that such board members are treated as other state and county employees in regard to social security protection and benefits as provided in Chapter 28 of Title 36 of the Code of Alabama, including, if necessary, amending the federal-state agreement referred to in said Chapter 28 of Title 36 of the Code of Alabama; to provide for the repeal of inconsistent laws or parts of laws; to provide for the severability of this act; and to provide the manner in which this bill becomes law.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RECESS

Pursuant to the motion heretofore adopted the House recessed until 8:00 o'clock p.m.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 86. To amend Sections 11-46-92, 11-46-93, 11-46-96, 11-46-97, 11-46-98, 11-46-107, 11-46-111, and 11-46-122, Code of Alabama 1975, relating to municipal elections, so as to establish the dates of municipal elections in certain cities or towns having the commission form of government; and to establish dates and other procedures required in connection with such elections.

Also:

H. 207. To make a conditional appropriation to the Louisiana, Mississippi, Alabama Rapid Rail Transit Commission, payable from the general or other fund of the state treasury, effective on October 1, 1987, or thereafter.

Also:

H. 599. To create the Police Officer's and Firefighter's Survivor Educational Act; to provide for tuition assistance and other costs for an undergraduate student in a state college, community college, junior college, technical college or state university who is the dependent child, or spouse who has not remarried, of a law enforcement officer or firefighter killed in the line of duty; to provide that the Alabama Commission on Higher Education shall administer the provisions of the act; to create the Tuition Eligibility Board and provides for membership; to make an appropriation; and to repeal Sections 36-21-95 through 36-21-99, Code of Alabama 1975, the Policeman's Survivor Tuition Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 401. To amend Section 41-16-120, Code of Alabama 1975, which section relates to sales of surplus state property by the surplus property

division of the department of economic and community affairs, so as to provide for a 30 day period of payment by those legal entities named in subsection (e) which purchase surplus property, and to allow non-profit corporations to purchase such property, provided the federal surplus property purchasing guidelines are followed.

Also:

H. 576. To amend §32-9-26, which exempts four-wheel, two-axle trailers with the weight of the trailer and load, not to exceed 10,000 pounds, used in farming from restrictions against use of trailers on the highways so as to allow from two to eight wheels and from one to four axles and a weight limit of not more than 36,000 pounds or no more than 10,000 pounds per axle, whichever is less; to amend §32-9-27, which requires those trailers exempted under 32-9-26 to carry reflectors and not be over eight feet in width and 65 feet in length, to allow the trailer to be up to 10 feet in width and no more than 76 feet in length with a one-foot overhang on each side of the trailer allowed for hauling round bales of hay.

Also:

H. 650. To amend Sections 41-9-782 and 41-9-783 of the Code of Alabama 1975 relating to the Tennessee Valley Exhibit Commission in order to clarify the authority of said commission with respect to the issuance of revenue obligations and to make a limited appropriation and pledge for the benefit of certain of such revenue obligations of certain moneys retained by the State of Alabama from in-lieu-of-taxes payments made by the Tennessee Valley Authority.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 386. To provide that the punishment for second degree rape be changed from a Class C to a Class B felony; to amend Code of Alabama, 1975 §13A-6-62(b) accordingly; to provide that the punishment for second degree sodomy be changed from a Class C to a Class B felony; to amend Code of Alabama, 1975 §13A-6-64(b) accordingly; to specify the conduct to which this act applies; to provide for severability; and to provide an effective date.

Also:

H. 815. To authorize and provide for the promotion of the production, marketing, use and sale of catfish and catfish products by research, education, advertising and other methods; to prescribe a method whereby catfish producers may act jointly with handlers, buyers, dealers, processors, manufacturers and distributors of catfish feed, the state board of agriculture and industries, and others, for a promotional program; to provide that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments; to provide for the regulations, requirements and authority relative thereto; to provide for refund of assessments; to

prescribe duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the catfish producers of Alabama; to provide for the administration thereof by a commission, council, board or other agency or a nonprofit association which is fairly and substantially representative of the producers of catfish throughout the state; to provide for collection and distribution of assessments by dealers, handlers, buyers, manufacturers and distributors of catfish feed; to require an annual permit of such dealers, handlers, buyers, manufacturers and distributors of catfish feed; and to prescribe other administrative, enforcement, promotional and penalty provisions.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 904. To provide that the Lieutenant Governor's office shall be separate and distinct; to provide for the appointment and compensation of the personnel of the Lieutenant Governor's office; and to authorize the Lieutenant Governor to purchase equipment, supplies and services and to approve personnel business travel.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 814. To propose an amendment to the Constitution of Alabama of 1901, relating to the promotion of production, distribution, improvement, marketing, use and sale of catfish and catfish products; and to provide for assessment and fees to pay for the cost thereof.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 189. To further provide for the enforcement of the controlled substances laws in the dental profession and related occupations; to further provide for the investigative powers of the board of dental examiners relating to drug or controlled substances violations; to amend Section 34-9-43, Code of Alabama 1975, as amended, relating to the general powers and duties, so as to provide that the board's investigators shall have the powers of peace officers and arrest relative to the enforcement of the drug and controlled

substances laws; to further amend Sections 20-2-90 and 20-2-91, Code of Alabama 1975, as amended, relating to the enforcement of such laws and the inspections of prescriptions, orders, and records therefor, so as to authorize the investigators of the board of dental examiners to execute such powers to effectively investigate drug or controlled substances violations; to further provide for the board's investigators' qualifications; and to exclude such persons from certain allowances.

Also:

H. 565. To provide that only one municipal sales (gross receipts) or use tax and only one county sales or use tax shall be collected or paid on the same sale.

Also:

H. 602. To provide for a Class A misdemeanor punishment for violation of the Alabama Department of Public Safety promulgated rules governing motor carrier safety regulations and hazardous material regulations.

Also:

H. 782. To specifically exempt all purchases made with food stamps from all state, county and municipal sales and use taxes; to make such exemption contingent upon the continued requirement of federal law that conditions the states' participation in the food stamp program upon exempting purchases made with food stamps; to provide that the provisions of this act shall become inoperative, null and void if the food stamp sales tax amendment is either ruled unconstitutional or unenforceable by a federal court or is repealed by Congress; and to provide that provisions of act shall become operative on October 1, 1987.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 84. To amend Sections 11-46-21, 11-46-22, 11-46-24, 11-46-25, 11-46-26, 11-46-27, 11-46-36, 11-46-40, 11-46-51, and 11-43-2, Code of Alabama 1975, relating to municipal elections, so as to establish the dates of municipal elections in certain cities or towns having the mayor-council form of government; and to establish dates and other procedures required in connection with such elections.

Also:

H. 124. To define the purpose and the terms used in this Act; to regulate the collection of wild ginseng; to provide for registration of dealers, collectors and growers and to provide for record keeping; to provide for export permits; to provide for rules and regulations; to provide for a monitoring program and right of entry; to provide for procedures for reselling or refusal to issue certificates and permits and appeals therefrom; to provide for penalties for violations and to grant powers of sheriffs on agents in the enforcement of this Act.

Also:

H. 321. To clarify and extend the authority of city and county boards of education to manage the public schools over which they have legal responsibility.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Payne:

H. J. R. 486. COMMENDING THE HEWITT HUSKIES UNDER-14 ON THEIR CAPTURE OF THE MID-STATE SOCCER LEAGUE CHALLENGE CUP.

WHEREAS, in commendation and esteem, the Legislature of Alabama congratulates the Hewitt Huskies Under-14 soccer team as winners of the Mid-State Soccer League Challenge Cup Tournament; and

WHEREAS, superbly coached by Bill Prewitt, Ken Horton, Jr., and Bibb Lowe, the Hewitt Huskies posted an outstanding season record and in Birmingham shut out Hoover 1-0 in the finals to claim the tournament crown; and

WHEREAS, the Hewitt Huskies Under-14 Challenge Cup Champions are Rick Lowe, Greg Hathcock, Bobby Renfro, Jeff DeArman, Brian Bianchi, Donnie Stovall, Jeremy Long, Matthew Farthing, Ashley Camp, William Green, Nobie Thrasher, Dane Prewitt and John DeJarnette; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend and congratulate Coaches Prewitt, Horton and Lowe and the Hewitt Huskies Under-14 soccer team as winners of the Mid-State Soccer League Challenge Cup Tournament, and do further direct that copies of this resolution be provided for presentation to the Huskies and their coaches.

On motion of Rep. Payne, the rules were suspended and the resolution, H. J. R. 486, was adopted.

Also:

By Rep. Payne:

H. J. R. 487. COMMENDING THE HEWITT HUSKIES UNDER-19 SOCCER TEAM ON THE 1987 STATE CHAMPIONSHIP.

WHEREAS, the Legislature of Alabama most heartily congratulates and commends the Hewitt Huskies Under-19 soccer team on the 1987 State Championship; and

WHEREAS, coached by Bibb Lowe and Rocky Branham, the Huskies finished third in the West Regionals in Tuscaloosa, advancing to the state finals in Birmingham where they defeated Montgomery, Huntsville and the West Alabama Regional Champions, Birmingham B.E.S.T. Strikers; and

WHEREAS, in the final match for the title, against the reigning State Champions, Pelham's American Express, a 2-2 score forced the game into overtime; at the gun, however, it was a 4-2 victory for the Huskies—their first state championship in the Alabama Sports Festival and their first ever Gold Medal award; and

WHEREAS, the State Champion Hewitt Huskies Under-19 are Austin Boyd, David Stovall, Carl Lynn, Allen Folse, Andy Hart, Casey Bischoff, Brian Harris, Jay Clark, Pat Whilden, Mike Mueller, Ken Horton, Jason Branham, Mark Duldt, Jason Henderson, Darrell Stovall and Glenn Peterson; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding achievement as our 1987 State Soccer Champions, we hereby most heartily congratulate and commend Coaches Bibb Lowe and Rocky Branham and the Hewitt Huskies Under-19 soccer team, each of whom shall receive a copy of this resolution of highest esteem.

On motion of Rep. Payne, the rules were suspended and the resolution, H. J. R. 487, was adopted.

Also:

By Rep. McDowell:

H. J. R. 488. CREATING THE JEFFERSON COUNTY GOVERNMENT STUDY COMMITTEE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there be and hereby is established in Jefferson County, a committee to be known as the Jefferson county Government Study Committee, hereinafter called "the committee." The committee shall be composed of fourteen (14) members, five (5) members shall consist of the five (5) members of the Jefferson County Commission, one (1) member shall consist of the chairman of the Mayor's Association of Jefferson County, five (5) members shall be appointed by the chairman of the Jefferson County House Delegation from the House members of such delegation and three (3) members shall be appointed by the chairman of the Jefferson County Senate Delegation from the Senate members of such delegation. The chairman shall be elected from among its members and shall

preside over all meetings. The committee shall make its own rules for the conduct of business. The initial meeting shall be held at the call of the chairman.

The purpose of the committee shall be to conduct studies and provide information and recommendations regarding the following:

(1) Industrial development for additional jobs in the county;

(2) The operation of the Jefferson County Government and how to make it more efficient and economically sound;

(3) The tax and debt structure of Jefferson County including methods of increasing or raising revenue;

(4) The adoption of home rule in Jefferson County; and

(5) Ways to provide rural citizens the same privileges and services as urban citizens enjoy.

Each member of the Legislative Delegation of Jefferson County appointed and serving on the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends the meeting of the committee which shall be paid out of the funds appropriated to the use of the Legislature on warrants drawn on the state comptroller upon requisition signed by the committee's chairman. Provided, that members shall not receive additional legislative compensation or per diem when the Legislature is in session. The remaining members appointed and serving on the committee shall serve without pay or expenses for such service. Administrative and clerical assistance shall be provided by the Jefferson County Legislation Delegation Office. The total amount of funds expended by the committee shall not exceed the sum of $5,000.00.

The study committee shall report its findings, conclusions and recommendations to the Jefferson County Commission and to the Jefferson County Legislative Delegation no later than the 10th legislative day of the 1988 Regular Session of the Legislature, at which time the committee shall be dissolved.

On motion of Rep. McDowell, the rules were suspended and the resolution, H. J. R. 488, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Richardson, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 538.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Richardson, Budget Isolation Resolution relating to S. B. 538, was adopted.

Yeas 28; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Blakeney, Bryant, Clark (W), Crow, Curry, Flowers, Gaston, Goodwin, Hamilton, Holley, Knight, McKee, Moon, Payne, Perdue,

Petelos, Rains, Richardson, Seibels, Slaughter, Walker, White (G), White (L), Wright and Zoghby.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 538. Relating to Jackson County; to provide for the relief of Ruby Butler, former tax assessor of Jackson County, Alabama, by the payment of certain funds due her as expenses incurred during her term as tax assessor.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Blakeney, Bryant, Butler, Clark (W), Crow, Curry, Flowers, Freeman, Gaston, Goodwin, Holley, Knight, Lindsey, Moon, Payne, Perdue, Richardson, Seibels, Slaughter, Walker, White (G), White (L) and Wright.

—26

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BUDGET ISOLATION RESOLUTION TEMPORARILY POSTPONED

On motion of Rep. Hammett, the Budget Isolation Resolution relating to the bill, S. 107, was temporarily postponed.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Holley, Budget Isolation Resolution relating to S. B. 131, was adopted.

Yeas 50; Nays 5.

Yeas:

Mr. Speaker, Black, Blake, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Flowers, Freeman, Fuller, Gaston, Grayson, Hall, Hammett, Harper, Haynes, Hettinger, Higginbotham, Holley, Johnson (RG), Johnson (RW), Kennedy, Knight, Lindsey, Marietta, Marks, McKee, Melton, Moon, Parker, Perdue, Petelos,

Rains, Reed, Richardson, Rogers, Slaughter, White (G), White (L), Wright and Zoghby.

—50

Nays: Reps. Faulk, Harvey, Junkins, McMillan and Warren. —5

And the bill:

S. 131. To amend Section 16-10-1, Code of Alabama 1975, so as to eliminate the requirement that local school trustees must be appointed by the county board of education.

Was taken up.

SUBSTITUTE OFFERED

Rep. Knight offered the following substitute to the bill, S. 131:

A BILL
TO BE ENTITLED
AN ACT

To amend sections 16-10-3, 16-10-4 and 16-10-9, Code of Alabama 1975, all of which relate to the duties, functions and powers of school boards of trustees, so as to clarify the term "principal"; to remove the absolute power of the boards to refuse the hiring of new teachers; to provide that the boards may submit written reports to county superintendents regarding new teacher assignments; and to provide that boards may request of local boards of education formal reviews of existing teachers or principals in cases of dissatisfaction.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 16-10-3, 16-10-4, and 16-10-9, Code of Alabama 1975, are hereby amended to read as follows:

"§16-10-3.

"The principal ~~teacher~~ of the school shall be the secretary of the board of school trustees and shall attend all meetings of the board except when the board is in executive session. The principal ~~teacher~~ shall, with the consent of the majority of the members of the board, have the right to speak upon all questions, but shall have no right to vote, shall prepare for adoption all reports required by the county board of education, shall keep all records of accounts of incidental funds, shall keep the minutes of the meetings of the board in the record book provided by the county board of education and shall conduct the correspondence of the board of school trustees.

"§16-10-4.

"In the event a teacher, not already employed in a school, is assigned to such school, the county superintendent of education shall give to the trustees of said school notice in writing of such assignment, and the trustees of said school, within 10 days from the date of the receipt of the superintendent's notice of assignment, may ~~by unanimous consent refuse to accept the assignment of such teacher to their school upon written notification to the county superintendent of education setting out the reason for such refusal; and it is hereby made the duty of the county superintendent of education to assign another teacher to such school.~~ provide to the county superintendent

of education a written report of their review regarding said assignment. The county superintendent of education shall include this report in the personnel file of said applicant, and shall give significant consideration to the content of the report in making the assignment.

"§16-10-9.

"The board of school trustees shall seek in every way to develop sentiment in the support of the schools, and in case of dissatisfaction they may file with the county board of education ~~written charges requesting the removal of the principal or any other teacher in said school.~~ a written request for a formal review of a principal or any teacher in said school, which request shall clearly state all reasons for the requested review. The county board of education shall, within 10 days thereafter, cause a formal review of said principal or teacher to take place, and, within 5 days following said review, provide to the requesting board of trustees a written report of the review and the findings and recommendations resulting from the review."

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE TABLED

On motion of Rep. Holley, the substitute offered by Rep. Knight to the bill, S. 131, was tabled.

Yeas 43; Nays 12.

Yeas:

Mr. Speaker, Black, Blake, Bryant, Burke, Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Fuller, Grayson, Grouby, Harper, Haynes, Higginbotham, Holley, Holmes, Johnson (RG), Johnson (RW), Junkins, Kennedy, Laird, Lindsey, Marietta, Mathis, McDowell, Melton, Moon, Newman, Perdue, Petelos, Poole, Rains, Richardson, Seibels, Walker, Warren, White (G), White (L), Wright and Zoghby.

—43

Nays:

Reps. Curry, Dillard, Faulk, Freeman, Hall, Harvey, Hettinger, Knight, McKee, McMillan, Parker and Slaughter.

—12

And the bill, S. 131, was read a third time at length and passed.

Yeas 50; Nays 7.

Yeas:

Mr. Speaker, Black, Blake, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Clark (W), Cosby, Crow, Dillard, Flowers, Fuller, Gaston, Grayson, Grouby,

Harper, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Kennedy, Laird, Lindsey, Marietta, Mathis, McDowell, Melton, Moon, Newman, Parker, Payne, Perdue, Poole, Rains, Richardson, Seibels, Slaughter, Thomas, Turner, Walker, White (G), White (L), Wright and Zoghby.

—50

Nays:

Reps. Faulk, Freeman, Hall, Harvey, Junkins, McMillan and Warren.

—7

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 56. Relating to controlled substances; prescribing certain additional penalties for any person convicted of an unlawful sale of a controlled substance on the campus or within a certain radius of the campus boundaries of any private or public school, college, university or other educational institution in this state.

Also:

S. 61. To amend Code of Alabama 1975, §15-5-8 to provide that a search warrant in a case in which the property to be seized includes a controlled substance may be served at night as well as during the day even if the affidavits supporting the warrant do not positively state that the property is on the person or in the place to be searched.

Also:

S. 125. To amend §§40-23-2 and 40-23-35, Code of Alabama 1975, to impose an excise tax on unlawful sales, use and other transactions involving certain drugs or controlled substances, and provide for the disposition of the proceeds of the tax.

Also:

S. 430. To amend further Section 10 of Act No. 497, Regular Session of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, relating to a pension system for officers and employees of Jefferson County, Alabama, so as to increase the benefit formula rate and to provide further for the retirement of certain members of the pension system.

Also:

S. 133. To define, specify principles of liability and defenses for, and prescribe the punishment for the crimes of: criminal solicitation to commit a controlled substance crime, attempt to commit a controlled substance crime, and criminal conspiracy to commit a controlled substance crime; to provide that criminal solicitation, attempt, and criminal conspiracy to commit a controlled substance crime are included offenses in any controlled substance crime that is charged; to specify the conduct to which this act applies; to repeal any conflicting laws; to provide for severability; and to provide an effective date.

Also:

S. 500. To make a supplemental appropriation to the Children's Trust Fund for the operation of said trust, from the general fund of the state treasury, for the fiscal year ending September 30, 1987; providing that no balance of such funds, at the end of the fiscal year, shall revert to the general fund of the state treasury but shall continue until the said additional appropriation is depleted.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 73. To provide further for the number of students in state funded academic classrooms in the public schools in Alabama.

Also:

S. 207. To amend §34-24-75 by deleting the provision permitting the issuance of a certificate of qualification for license to practice medicine to a commissioned officer of the medical corps of the army, navy, the air force or the public health service of the United States.

Also:

S. 485. To further amend Section 41-9-682, Code of Alabama 1975, which section provides for the general powers of the Alabama music hall of fame, so as to further authorize the board to constitute a bond authority for the purposes of issuing general obligation bonds for capital outlay purposes, and for the purposes for which it was created; to provide for the circumstances under which the state of Alabama shall make payments on the costs incurred as a result of any such bond issue and to pledge its full faith and credit if necessary; to provide for the operation of such authority, its powers, duties and the allocation of bond proceeds; and to exempt such authority from any taxes of any nature, whether state, local or special.

Also:

S. 486. To propose an amendment to the Constitution of Alabama of 1901, as amended, which relates to the authority of the Alabama music hall of fame board to constitute an authority to issue general obligation bonds for capital outlay purposes and for the purposes for which it was created and to prescribe the powers thereof; to provide for the operation of the board as such authority, the allocation and expenditure of funds; to provide for exemptions from any and all taxes of any nature whatsoever; to provide that in the event appropriations, current revenues or bond proceeds are

insufficient to cover costs, the state of Alabama shall pledge its full faith and credit; to provide that the legislature may enact subsequent legislation relating to said music hall supplemental to this amendment or in furtherance of the purposes and objectives of the provisions not in conflict herewith; and to provide that this amendment shall be self-executing when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285 and 287 of the Constitution of Alabama of 1901, as amended.

Also:

S. 490. Renaming the Plumbers Examining Board established by Act No. 529 of the 1949 Regular Session of the Legislature (Acts 1949, p. 827), as amended; continuing the existence of such board; authorizing such board to exercise certain statewide licensing authority over plumbers and gas fitters; defining certain terms relating to plumbing and gas fitting as used in this act; prescribing procedures for appointing successors to the current members of such board; prescribing regulations relative to the scope of authority of local and state licenses issued to plumbers and gas fitters; prescribing procedures for the testing and licensing of plumbers and gas fitters under this act; providing for the compensation and expenses of the members of such board and its hired or contracted employees; authorizing such board to adopt a fee schedule; prescribing procedures for revoking licenses; authorizing such board to enter into certain reciprocity agreements with other states; prescribing penalty for violation of this act and providing for supplemental effect.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 876. To amend Code of Alabama 1975, §12-15-65 to provide that an out of court statement made by a child under the age of twelve describing acts of sexual conduct performed on or with the child by another shall be admissible in dependency hearings if the court finds that the statement is sufficiently reliable; to provide that such statement may not be admitted unless the proponent of the statement gives advance notice of the details of the statement and of his intention to offer the statement, so that the adverse party may have a fair opportunity to rebut the statement; to provide the conduct to which this act applies; to provide for severability; and to provide an effective date.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Hammett, the House concurred in and adopted the Senate amendment to the bill, H. 876, said Senate amendment being as follows:

Amend House Bill 876 on Page 4, Line 2 after the word "hearing" by adding the following:

"(h) This exception contained herein shall not apply to a criminal proceeding or charge."

and renumber the following paragraphs accordingly.

Yeas 63; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blake, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Carothers, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Laird, Lindsey, Marietta, Marks, Mathis, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Seibels, Slaughter, Turnham, Walker, Warren, White (G), White (L), Wright and Zoghby.

—63

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 821. To provide additional funding for domestic violence shelters by amending Sections 30-6-6 and 30-6-11 Code of Alabama 1975, as last amended, to delete the limitation on the maximum available to each domestic violence facility, and re-designate the following subsection as subsection (e); to increase the additional fee for marriage licenses provided for therein by $10.00, from $5.00 to $15.00; and to remove language in Section 30-6-11 in which refers to a time period which has already passed.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Zoghby, the House concurred in and adopted the Senate amendment to the bill, H. 821, said Senate amendment being as follows:

Amend House Bill 821 in the Synopsis, Page 1, Line 10, after the word "to" on line 9 by striking the following: "~~delete~~" and inserting in lieu thereof the following: "increase".

Further amend House Bill 821 in the Title, Page 1, Line 23, after the word "to" by striking the following: "~~delete~~" and inserting in lieu thereof the following: "increase".

Further amend House Bill 821, Section 1, Page 3, Lines 4 and 5, by inserting new paragraph as follows:

"(e) No individual facility shall receive a total amount in excess of $125,000.00 annually."

Renumber the following paragraph (f)

Further amend House Bill 821, Section 2, Page 3, Lines 27 and 28, after the word "purposes" by striking the following: "~~of law enforcement related to abuse as defined by this chapter~~. and inserting in lieu thereof the following:

"of establishing, maintaining and/or founding of abuse shelters.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Black, Blake, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Carothers, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harvey, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Knight, Kvalheim, Laird, Lindsey, Marietta, Marks, Mathis, McDowell, McKee, McMillan, Moon, Parker, Payne, Perdue, Petelos, Poole, Rains, Rogers, Seibels, Slaughter, Turnham, Walker, White (F), White (G), White (L), Wright and Zoghby.

—64

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 706. To amend Sections 34-24-252, 34-24-255 and 34-24-276, Code of Alabama 1975, relating to the practice of podiatry, so as to provide for the powers and authority of the board of podiatry; to provide for the qualifications and examination of applicants for a license to practice podiatry; to prescribe additional conduct which shall be deemed unprofessional; to grant the board of podiatry certain subpoena powers; to provide for the conduct of hearings by the board and to grant members of the board of podiatry and certain other persons civil immunity in certain instances.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Carothers, the House concurred in and adopted the Senate amendment to the bill, H. 706, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 34-24-252, 34-24-255 and 34-24-276, Code of Alabama 1975, relating to the practice of podiatry, so as to provide for the powers

and authority of the board of podiatry; to provide for the qualifications and examination of applicants for a license to practice podiatry; to prescribe additional conduct which shall be deemed unprofessional; to grant the board of podiatry certain subpoena powers; to provide for the conduct of hearings by the board and to grant members of the board of podiatry and certain other members civil immunity in certain instances.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 34-24-252, 34-24-255 and 34-24-276, Code of Alabama 1975, are hereby amended to read as follows:

"§34-24-252.

"The state board of podiatry shall be the certifying board for podiatrists and shall have the exclusive power and authority to certify and to issue, suspend, revoke and reinstate all licenses or certificates authorizing the licensee to practice podiatry in the state of Alabama, and shall have the authority and it shall be its duty:

"(1) ~~To make all bylaws and all necessary regulations for the proper performance of its duties;~~ To promulgate such rules and regulations for its government as it may deem necessary and proper:

"(2) To provide a standard of efficiency as to the moral, educational and experience qualifications and fitness for all persons who desire to practice podiatry in this state;

"(3) To elect annually one of its members as president, one as vice-president and one as secretary-treasurer, who shall hold their respective offices for one year and until their successors are elected and qualified. Should a vacancy occur in either of the three offices herein provided for, a special meeting of the board shall be called for the purpose of filling such vacancy for the unexpired term;

"(4) To administer such oaths and take such affidavits as are required by the provisions of this article, certifying thereto under its hand and the seal of the board;

"(5) To assist in the prosecution of violations of this article;

"(6) To appoint or employ a legal adviser or counsel, when deemed necessary, whose compensation, to be fixed by the board, shall be paid in the same manner as the per diem and expenses of the board are paid;

"(7) To adopt a common seal to be affixed to its official documents;

"(8) To keep a record of its proceedings, a register of persons licensed as podiatrists and a register of licenses and certificates by it revoked; and

"(9) To annually, on or before January 1, make a report to the governor of Alabama of all its official acts during the preceding year, and of its receipts and disbursements, and a full and complete report of the condition of podiatry and the practice thereof in this state, and to file duplicate copies of such report with the secretary of state, the state auditor and the Alabama department of archives and history."

"§34-24-255.

"Every person desiring to commence the practice of podiatry, except as otherwise provided, shall apply to the board and shall pay an application

fee as established by the board. The applicant shall thereafter take and pass the standard examination provided in this article and fulfill the other requirements as herein provided. Such applicant must be ~~19~~ 21 years of age or over, a citizen of the United States and of good moral character, must be a graduate of a ~~recognized~~ college of podiatry recognized by the American ~~Podiatry~~ Podiatric Medical Association ~~that requires at least two years of collegiate study prior to enrollment therein~~, must have completed a podiatric residency or preceptorship program approved by the American Podiatric Medical Association or by the state board of podiatry under its rules and regulations, must have successfully passed all parts of the examination given by the National Board of Podiatric Examiners and must be able to pass the standard examination prescribed by the state board of podiatry. Such standard examination shall consist of tests in practical, theoretical and physiological podiatry, in the anatomy and physiology of the human foot, and in pathology as applied to podiatry. Such standard examination shall not be out of keeping with established teachings and adopted textbooks of recognized schools of podiatry. If the applicant satisfactorily passes the examination provided for he shall be issued a license to practice podiatry."

"§34-24-276.

"A license issued to any person may be suspended for a definite period of time or revoked by the state board of podiatry for any of the following reasons:

"(1) Conviction of any offense involving moral turpitude, in which case the record of conviction or a certified copy thereof certified by the clerk of the court or by the judge in which court the conviction is had shall be conclusive evidence of such conviction;

"(2) For unprofessional conduct; 'unprofessional conduct' shall mean any conduct of a character likely to deceive or defraud the public, lending his license by any licensed podiatrist to any person, the employment of 'cappers,' or 'steerers' to obtain business, 'splitting' or dividing a fee with any person or persons, the obtaining of any fee or compensation by fraud or misrepresentation, employing directly or indirectly any suspended or unlicensed podiatrist to do any professional work, fraudulent or misleading advertising, the ~~by~~ use of any advertising~~,~~ which does not include a disclaimer required by rules and regulations of the board, carrying the advertising of articles not connected with the profession, the employment of any drugs or medicines in his practice unless authorized to do so by the laws covering the practice of medicine of this state;

"(3) When a license or certificate has been obtained by fraud, deceit or misrepresentation, whether knowingly or unknowingly practiced on the board;

"(4) When the holder of a license or certificate is suffering from a contagious or infectious disease;

"(5) Gross incompetency~~; or~~ wilful or wanton negligence or repeated negligence in the practice of podiatry;

"(6) Intemperance in the use of intoxicating liquors or narcotics to such an extent as to unfit the holder of the license for the proper practice of podiatry.;

"(7) Failure to renew license and pay penalty as prescribed herein;

"(8) Failure to comply with continuing education requirements prescribed herein;

"(9) Violating any rule or regulation promulgated by the board of podiatry; or

"(10) Disciplinary action taken by another state based upon acts by a licensee similar to acts described in this section which results in suspension or revocation of a license or certificate to practice podiatry in another state. A certified copy of the record of the disciplinary action of the state taking such an action shall be conclusive evidence thereof.

"Whenever charges are preferred against any holder of a license, the board shall fix a time and place for the hearing of the same, and a copy of the charges, which must be made in writing, and verified by oath, together with a notice of the time and place where they will be heard and determined, shall be served upon the accused at least 10 days before the date fixed for said hearing. When personal service cannot be effected, the board shall cause to be published at least 30 days prior to the date set for the hearing in a newspaper published in the county in which accused was last known to practice a notice to the effect that at a definite time and place a hearing will be held by the board on charges preferred against said person. The board may issue subpoenas and compel the attendance of witnesses ~~at said hearing~~ and the production of all necessary papers, books and records, documentary evidence and materials or other evidence; the accused shall have the right to be confronted by the person or persons preferring said charges, to cross-examine the witnesses against him, to be represented by counsel and to have the testimony taken down by a stenographer, but the expense of counsel and stenographer, either or both, shall be borne by the accused. Witnesses at hearings before the board shall testify under oath and may be sworn by any member of the board. In all cases of suspension or revocation of licenses as herein provided for, the holder may appeal to the circuit court, or other court of like jurisdiction, in the county in which the person whose license or certificate is ordered revoked resides.

"Members of the board of podiatry or the members of any committee of podiatrists impaneled by the board, making any report or rendering any opinion or supplying any evidence or information or offering any testimony to the board in connection with a disciplinary investigation or action as authorized in this article shall be immune from suit for any conduct in the course of their official duties with respect to such investigations, actions or hearings."

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Black, Blake, Blakeney, Brooks, Bryant, Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Flowers, Freeman, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird,

Lindsey, Marietta, Marks, Mathis, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Reed, Richardson, Rogers, Seibels, Slaughter, Turnham, Walker, White (F), White (G), White (L), Williams, Wright and Zoghby.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 588. To amend sections 2-8-126 and 2-8-135, Code of Alabama 1975, relating to referendums authorizing an assessment of certain producers for the promotion of nuts, bulbs, fruits and vegetables; so as to authorize the holding of intermediary referendums to alter or modify the terms of an existing assessment and to further provide for the notice of referendums.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Carothers, the House concurred in and adopted the Senate amendment to the bill, H. 588, said Senate amendment being as follows:

Amend House Bill 588, page 2, line 4, by inserting after the word "published" and before the word "in" the following language:

"once a week"

Yeas 67; Nays 0.

Yeas:

Reps. Beasley, Beers, Biddle, Black, Blake, Blakeney, Bryant, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Freeman, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Lindsey, Marietta, Marks, Mathis, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Turnham, Walker, White (G), White (L), Williams, Wright and Zoghby.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Joint Resolution and sends same herewith to the House:

By Senator Rice:

S. J. R. 94. CONTINUING THE JOINT GOVERNOR'S-LEGISLATIVE TASK FORCE ON CHILD DAY CARE.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Kennedy, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 94, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendments to the following Senate Bill:

S. 73. To provide further for the number of students in state funded academic classrooms in the public schools in Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Senators Corbett, Bedford, Parsons, and Holmes:

S. J. R. 47. REQUESTING THAT SPACE IN THE ALABAMA STATE HOUSE BE ALLOCATED FOR A CHAPEL.

Also:

By Senator Bedsole:

S. J. R. 55. REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH THE ALABAMA "PRINCIPAL-OF-THE-YEAR PROGRAM."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolutions, S. J. R. 47 and S. J. R. 55, the titles of which are set out in the above and foregoing Message from the Senate, were read and referred to the Standing Commitee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Rice:

S. J. R. 48. ESTABLISHING THE JOINT GOVERNOR'S-LEGISLATIVE TASK FORCE AGAINST PORNOGRAPHY.

WHEREAS, the purpose of the Joint Governor's-Legislative Task Force Against Pornography shall be to assess the issues related to pornography

and the effectiveness of enforcement of present laws, locally and in other states; the feasibility of uniform municipal guidelines; and to gather pertinent information; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Joint Governor's-Legislative Task Force Against Pornography is hereby established to:

1. Review current Alabama criminal statutes related to pornography, and those of other states, to evaluate the effectiveness of enforcement and relevancy;

2. Study the feasibility of developing uniform municipal guidelines for enforcement of laws prohibiting and punishing the crimes related to pornography;

3. Develop a plan and strategy for mobilizing resources in place and coordinating data, to meet the issues raised by pornography and consequential criminal acts;

4. Make recommendations on needed changes in Alabama criminal statutes as well as administrative actions at all levels of law enforcement and the judicial branch of government;

5. Examine witnesses on current procedural and enforcement problems, including the State Attorney General's office, the various local district attorneys, as well as personnel from the executive branch, and others as determined by the task force, to include in the findings and recommendations; and

6. Study and evaluate all other pertinent facts related to the laws against pornography and their enforcement.

BE IT FURTHER RESOLVED, That the Joint Governor's-Legislative Task Force Against Pornography shall be composed of: three members from the Alabama Senate, appointed by the Lieutenant Governor; three members of the Alabama House of Representatives, appointed by the Speaker of the House; one representative from the Governor's office in the field of family life; three members appointed-at-large (one by each the Governor, the Lieutenant Governor and the Speaker of the House), and who are not in the service of any federal, state or local political subdivision; and the director of the Office of Prosecution Services and the director of the Alabama League of Municipalities or the designee of each. The members of the said task force shall serve without compensation.

BE IT FURTHER RESOLVED, That the said joint task force shall report its findings and make its recommendations to the Governor, the State Attorney General, and the Legislature on the twentieth day of the 1987 Regular Session whereupon it shall stand discharged from all duties and liabilities and be dissolved.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 48, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Bishop:

S. J. R. 192. AMENDING THE JOINT RULES OF THE TWO HOUSES.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Joint Rules of the Two Houses of the Alabama Legislature are hereby amended by adding a new Rule to become effective on the first day of the next session, be it special or regular after Joint Rule 14 as follows:

Rule 15. All Legislative Business of the Senate and House of Representatives shall be transacted between the hours of 8:00 A.M. and 10:00 P.M. and only the introduction of Bills, Standing Committee Reports, and Messages from one House to the other shall be conducted after the hour of 8:00 P.M. However, the provisions of this Rule may be suspended by a vote of 3/5 of those elected in each House therein.

and renumber the remaining Rules accordingly.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 192, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Carothers, Budget Isolation Resolution relating to S. B. 227, was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Black, Blake, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Flowers, Freeman, Fuller, Gaston, Grouby, Hall, Hammett, Harper, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Lindsey, Marietta, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Payne, Perdue, Petelos, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Thomas, Turnham, Walker, Warren, White (G), White (L), Williams, Wright and Zoghby.

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And the bill:

S. 227. To amend Sections 34-26-22, 34-26-43 and 34-26-43.1, Code of Alabama 1975, relating to the Board of Examiners in Psychology, so as to provide for increases in certain fees charged by the board.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blake, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Flowers, Freeman, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marietta, Marks, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Petelos, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Thomas, Turnham, Walker, Warren, White (G), White (L), Williams, Wright and Zoghby.

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BUDGET ISOLATION RESOLUTION

On motion of Rep. Marietta, Budget Isolation Resolution relating to S. B. 233, was adopted.

Yeas 63; Nays 1.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Clark (W), Crow, Curry, Davis, Faulk, Flowers, Freeman, Fuller, Gaston, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marietta, Marks, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Rains, Richardson, Rogers, Seibels, Slaughter, Turnham, Walker, Warren, White (F), White (G), Wright and Zoghby.

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Nay: Rep. Grayson. —1

And the bill:

S. 233. (With Substitute): To make certain legislative findings, to define terms for the purposes of this act; to grant certain immunity from suit and civil liability for certain officers, directors, and trustees of governing bodies of not-for-profit corporations, associations or organizations which are exempt from federal income taxation under Section 501(c) of the Internal Revenue Code of 1954, as amended; not-for-profit corporations, associations or organizations which are organized pursuant to Sections 10-3A-2, 22-51-1, 22-51-2, 22-51-3, 22-51-4, 22-51-5, 22-51-6, 22-51-7, 22-51-8, 22-51-9, 22-51-10, 22-51-11, 22-51-12, 22-51-13, and 22-51-14 of the Code of Alabama 1975, self-insured funds established pursuant to Sections 11-26-1, 11-26-2 or 11-30-2, and trade associations organized under 25-5-9, Code of Alabama 1975; and boards, authorities or commissions the members of which are appointed by the governing body or bodies of any county or municipality, or by the Governor or other constitutional officers or members of the legislature, pursuant to legislative or constitutional authorization, or the members of which are constitutionally or legislatively delegated.

Was taken up.

SUBSTITUTE OFFERED

Rep. Marietta offered the following substitute to the bill, S. 233, and to the pending substitute reported by the Standing Committee on Judiciary:

A BILL
TO BE ENTITLED
AN ACT

To make certain legislative findings, to define terms for the purposes of this act; to grant certain immunity from suit and civil liability for certain officers, directors, trustees and members of governing bodies of not-for-profit corporations, associations or organizations which are exempt from federal income taxation under Section 501(c) of the Internal Revenue Code of 1954, as amended; not-for-profit corporations, associations or organizations which are organized pursuant to Sections 10-3A-1, et seq., 22-51-1, 22-51-2, 22-51-3, 22-51-4, 22-51-5, 22-51-6, 22-51-7, 22-51-8, 22-51-9, 22-51-10, 22-51-11, 22-51-12, 22-51-13 and 22-51-14 of the Code of Alabama 1975, self-insured funds established pursuant to Sections 11-26-1, 11-26-2, 11-30-2 or 25-5-9, Code of Alabama 1975, or other legal authority; and boards, authorities or commissions the members of which are appointed by the governing body or bodies of any county or municipality, or by the Governor or other constitutional officers or members of the legislature, pursuant to legislative or constitutional authorization, or the members of which are constitutionally or legislatively delegated.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The legislature finds and declares that the services of not-for-profit corporations, organizations, associations, boards, authorities and commissions are critical to the efficient conduct and management of the public, civic and charitable affairs of the citizens of this state. Non-compensated officers, directors, trustees and members of governing bodies of such not-for-profit entities must be permitted to operate without undue concern for the possibility of litigation arising from the discharge of their duties as policymakers.

Section 2. The following terms shall have the following respective meanings for the purposes of this act:

(a) QUALIFIED ENTITY—

(1) Any not-for-profit corporation, association or organization which is exempt from federal income taxation under Section 501(c) of the Internal Revenue Code of 1954, as amended;

(2) Any not-for-profit corporation, association or organization which is organized pursuant to Section 10-3A-1, et seq., of the Code of Alabama 1975;

(3) Any organization organized under Sections 22-51-1, 22-51-2, 22-51-3, 22-51-4, 22-51-5, 22-51-6, 22-51-7, 22-51-8, 22-51-9, 22-51-10, 22-51-11, 22-51-12, 22-51-13 and 22-51-14 of the Code of Alabama 1975;

(4) Any self-insured fund established pursuant to Section 11-26-1, 11-26-2, 11-30-2 or 25-5-9 of the Code of Alabama 1975, provided, however this act shall not apply to any self-insured employer operating under Section 25-5-8, Code of Alabama 1975; and

(5) Any board, authority or commission the members of which are appointed by the governing body or bodies of any county or municipality, or by the Governor or other constitutional officer or member of the legislature pursuant to legislative or constitutional authorization, or the members of which are constitutionally or legislatively delegated.

(b) OFFICER—Any officer, director, trustee or member of the governing body of a qualified entity who does not receive compensation for serving in such capacity. A per diem amount of not more than $300 per day and actual, reasonable, and necessary expenses shall not constitute compensation for the purposes of this act.

Section 3. Any non-compensated officer of a qualified entity shall be immune from suit and not subject to civil liability arising from the conduct of the affairs of such qualified entity except when the act or omission of such officer, which gives rise to a cause of action, amounts to willful or wanton misconduct or fraud, or gross negligence. Provided however, such immunity shall not, except to such extent as may otherwise be provided by law, extend to the qualified entity, to a for-profit subsidiary of such qualified entity or to the officers of such for-profit subsidiary but only to the qualified entity's officers as defined in this act.

Section 4. Nothing in this act shall be construed to affect any civil action brought by any qualified entity against any officer of such qualified entity or to create any liability that did not exist prior to the act's passage or to diminish any immunity from suit or liability now enjoyed by a qualified entity or any officer thereof. The provisions of this act shall not apply to any claim, cause of action, action or suit brought against an officer for any personal injury to or death of another person or property damage arising out of an accident inflicted by that officer while acting within the line and scope of said officer's duties.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 63; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Clark (W), Crow, Curry, Davis, Faulk, Flowers, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Laird, Layson, Lindsey, Marietta, Marks, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Petelos,

Rains, Reed, Richardson, Rogers, Slaughter, Turnham, Walker, Warren, White (F), White (G), White (L), Wright and Zoghby.

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And the bill, S. 233, as thus amended, was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blake, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Clark (W), Cosby, Crow, Curry, Davis, Faulk, Flowers, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marietta, Marks, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Rains, Reed, Richardson, Rogers, Slaughter, Turnham, Walker, Warren, White (F), White (G), White (L), Wright and Zoghby.

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 86. To amend Sections 11-46-92, 11-46-93, 11-46-96, 11-46-97, 11-46-98, 11-46-107, 11-46-111, and 11-46-122, Code of Alabama 1975, relating to municipal elections, so as to establish the dates of municipal elections in certain cities or towns having the commission form of government; and to establish dates and other procedures required in connection with such elections.

Also:

H. 207. To make a conditional appropriation to the Louisiana, Mississippi, Alabama Rapid Rail Transit Commission, payable from the general or other fund of the state treasury, effective on October 1, 1987, or thereafter.

Also:

H. 386. To provide that the punishment for second degree rape be changed from a Class C to a Class B felony; to amend Code of Alabama, 1975 §13A-6-62(b) accordingly; to provide that the punishment for second degree sodomy be changed from a Class C to a Class B felony; to amend Code of Alabama, 1975 §13A-6-64(b) accordingly; to specify the conduct to which this act applies; to provide for severability; and to provide an effective date.

Also:

H. 401. To amend Section 41-16-120, Code of Alabama 1975, which section relates to sales of surplus state property by the surplus property division of the department of economic and community affairs, so as to provide for a 30 day period of payment by those legal entities named in

subsection (e) which purchase surplus property, and to allow non-profit corporations to purchase such property, provided the federal surplus property purchasing guidelines are followed.

Also:

H. 576. To amend §32-9-26, which exempts four-wheel, two-axle trailers with the weight of the trailer and load, not to exceed 10,000 pounds, used in farming from restrictions against use of trailers on the highways so as to allow from two to eight wheels and from one to four axles and a weight limit of not more than 36,000 pounds or no more than 10,000 pounds per axle, whichever is less; to amend §32-9-27, which requires those trailers exempted under 32-9-26 to carry reflectors and not be over eight feet in width and 65 feet in length, to allow the trailer to be up to 10 feet in width and no more than 76 feet in length with a one-foot overhang on each side of the trailer allowed for hauling round bales of hay.

Also:

H. 599. To create the Police Officer's and Firefighter's Survivor Educational Act; to provide for tuition assistance and other costs for an undergraduate student in a state college, community college, junior college, technical college or state university who is the dependent child, or spouse who has not remarried, of a law enforcement officer or firefighter killed in the line of duty; to provide that the Alabama Commission on Higher Education shall administer the provisions of the act; to create the Tuition Eligibility Board and provides for membership; to make an appropriation; and to repeal Sections 36-21-95 through 36-21-99, Code of Alabama 1975, the Policeman's Survivor Tuition Act.

Also:

H. 650. To amend Sections 41-9-782 and 41-9-783 of the Code of Alabama 1975 relating to the Tennessee Valley Exhibit Commission in order to clarify the authority of said commission with respect to the issuance of revenue obligations and to make a limited appropriation and pledge for the benefit of certain of such revenue obligations of certain moneys retained by the State of Alabama from in-lieu-of-taxes payments made by the Tennessee Valley Authority.

Also:

H. 815. To authorize and provide for the promotion of the production, marketing, use and sale of catfish and catfish products by research, education, advertising and other methods; to prescribe a method whereby catfish producers may act jointly with handlers, buyers, dealers, processors, manufacturers and distributors of catfish feed, the state board of agriculture and industries, and others, for a promotional program; to provide that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments; to provide for the regulations, requirements and authority relative thereto; to provide for refund of assessments; to prescribe duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the catfish producers of Alabama; to provide for the administration thereof by a commission, council, board or other agency or a nonprofit association which is fairly and substantially representative of the producers of catfish throughout the state; to provide for collection and distribution of assessments by dealers, handlers, buyers, manufacturers and distributors of

catfish feed; to require an annual permit of such dealers, handlers, buyers, manufacturers and distributors of catfish feed; and to prescribe other administrative, enforcement, promotional and penalty provisions.

Also:

H. 904. To provide that the Lieutenant Governor's office shall be separate and distinct; to provide for the appointment and compensation of the personnel of the Lieutenant Governor's office; and to authorize the Lieutenant Governor to purchase equipment, supplies and services and to approve personnel business travel.

Also:

H. 814. To propose an amendment to the Constitution of Alabama of 1901, relating to the promotion of production, distribution, improvement, marketing, use and sale of catfish and catfish products; and to provide for assessment and fees to pay for the cost thereof.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 223. To allow certified copies of case action summary or docket sheets or other court records to be admitted into evidence for the purpose of proving that a person has been previously convicted of a crime.

Also:

H. 792. To amend Section 41-9-201(a), Code of Alabama 1975, which establishes the office of the Director of Development, so as to establish qualifications of office of Director of Development and provide that the Director's salary shall be fixed by the Governor, at any reasonable amount not to exceed by $25,742.00 the highest authorized salary for employees of the Alabama Development Office who are subject to the provisions of the merit system law.

McDOWELL LEE,
Secretary.

BUDGET ISOLATION RESOLUTION TEMPORARILY POSTPONED

On motion of Rep. Biddle, the Budget Isolation Resolution relating to the bill, S. 140, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 126. To provide for the procedure for verification of eligibility for homestead exemptions provided in the Code of Alabama, 1975, Sections 40-9-19 and 40-9-21.

Also:

H. 934. To amend Section 19-3-120, Code of Alabama 1975, which provides for the classes of authorized investments, in which trustees, executors, administrators and other fiduciaries may invest, so as to include the African Development Bank within such classes of investments.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the Bill:

S. 284. To further amend Sections 18 and 20 of an act designated as Act #248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for appointment of department heads from seven qualified candidates unless the appointing authority shall request the three ranking eligibles only.

said Conference Report being in words and figures as follows:

REPORT OF CONFERENCE COMMITTEE

SENATE BILL 284

We, the Committee of Conference, appointed to reconcile the differences of the two houses concerning Senate Bill 284 have met in conference and have agreed to accept the changes in the attached substitute.

EARL HILLIARD,
JIM BENNETT,
FRED HORN,
Senate Conferees.

LEWIS G. SPRATT,
GEORGE PERDUE,
GARY WHITE,
House Conferees.

A BILL
TO BE ENTITLED
AN ACT

To further amend Sections 18 and 20 of an act designated as Act #248 of the Regular Session of the Legislature of Alabama of 1945, approved July

6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for appointment of department heads from six qualified candidates unless the appointing authority shall request the three ranking eligibles only.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 18 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), be, and the same is hereby further amended so as to read as follows:

"Section 18. Appointments. Vacancies in the classified service shall be filled either by transfer, promotion, appointment, reappointment or demotion. Whenever a vacancy in an existing position is to be filled by appointment the appointing authority shall submit to the director a statement of the title of the position, and if requested by the director to do so, the duties of the position and desired qualifications of the person to be appointed, and a request that the director certify to him the names of persons eligible for appointment to the position. The director shall thereupon certify to the appointing authority the names of the three ranking eligibles from the most appropriate register, and if more than one vacancy is to be filled the name of one additional eligible for each additional vacancy, or all the names on the register if there are fewer than three. When the vacancy for which the appointing authority has requested a list of eligibles is that of a department head, the director shall certify to the appointing authority, for its selection, the names of ~~all~~ six qualified candidates who apply, unless the appointing authority shall have requested the names of the three ranking eligibles only. The director shall, upon the request of the appointing authority, add to any such certification for employment the name of any person who is certified by the director of the division of rehabilitation and crippled children of the state department of education, as being eligible for rehabilitation services, or who is certified by a physician duly licensed to practice medicine in the State of Alabama to have a permanent neurological, muscular, skeletal or other physical impairment rendering such person unable to transport himself from place to place in a normal manner without the use of transportive devices such as a wheelchair or supportive devices such as braces, crutches, or both; but the director may nevertheless not give preference in certification for employment to any handicapped person if he finds such person is physically or otherwise unfit to perform effectively the duties of the position in which he or she seeks employment. The personnel board shall adopt appropriate rules and regulations governing all appointments to vacancies in the classified service to the end that such rules shall comply with the law and serve the public interest. In the event that a jurisdiction accepts and utilizes Federal funds for the creation of public employment opportunities, such positions when budgeted on a full time basis for twelve months, shall be treated as any other regular position in the classified service. Should the applicable Federal regulations controlling the use of such funds prescribe the unusual or exceptional prerequisites for employment in said program, the director subject to approval of the board, may prescribe the manner in which the position shall be filled and related conditions of employment. If it should prove impossible to locate any of the persons so certified or should it become known to the director that any person is not willing to accept the position, the appointing authority may request that additional names be certified.

Within ten days after such names are certified the appointing authority shall appoint one of those whose names are certified to each vacancy which he is to fill. When a new position is created by the governing body the appointing authority shall notify the director of the duties of the position and the desired qualifications of the person to be appointed. If there is no appropriate eligible list from which certification can be made, the director shall establish such a list within forty-five days after receipt of the request and no provisional appointment shall be authorized within that time except with the unanimous approval of the board. The appointing authority shall report to the director the name of the person appointed, the effective date of appointment, and such other information as may be required. The names of the remaining eligibles certified shall be returned to the eligible list for certification to the next vacancy which may occur. The name of an eligible may be removed from the eligible list after it has been certified and refused three times. All appointments shall be made for a probationary period of twelve months. During such period the appointing authority may remove an appointee upon filing with the director, in writing, his reasons for such action which action shall not be reviewable. After the expiration of the probationary period the employees shall have earned permanent status subject to the provisions of this subdivision as to removals, suspensions and changes. No persons shall be appointed under any title not appropriate to the duties of the position to which he is appointed except by the consent of the director. When the position to be filled involves fiduciary or financial responsibility or law enforcement, the appointing power or the board may require the applicant to furnish a reasonable bond or other security in an amount and form to be fixed by the appointing authority subject to the approval of the board provided that where the amount and terms of such bonds are now prescribed by law, such provision of law shall remain in effect. Said bond or security shall be approved by the appointing power and kept by it and conditioned as it prescribes unless otherwise now provided by law. The appointing authority in all cases not excepted or exempted under the provisions of this subdivision or the constitution of the state shall fill positions in the county or municipalities therein, by appointment, including cases of transfer, reinstatement, promotions and demotions, in strict accordance with the provisions of this subdivision and the rules and regulations prescribed from time to time hereunder and not otherwise. In the event an appointing authority fails or refuses to fill a vacancy in an existing position from a certified list of eligibles the director may refuse to certify the payroll, voucher or account of any ineligible person found to be performing the duties of said position. When there is no eligible list from which a vacancy in an existing position may be filled, the director may certify to the appointing authority the names of all persons who have filed notice of their intention to take an examination appropriate to the position, and who after investigation appear to have had experience or training which qualify them for the position, and a provisional appointment from among the number may be made by the appointing authority pending the establishment of an eligible list. No provisional appointment shall be continued for a period of over ten days after the establishment of an eligible list and in no event shall be continued for a longer period than four months. During present war emergency period the director may, in the absence of any appropriate eligible list, authorize a limited tenure appointment without examination. Such appointment shall be for not longer than the duration of the present war emergency plus six months, and shall give persons so appointed no status in the Classified Service by reason of such duration appointment."

Section 2. That Section 20 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), be, and the same is hereby further amended so as to read as follows:

"Section 20. Promotions. With the discretion of the director of personnel, vacancies in positions shall be filled, in so far as practicable by promotion from among employees holding positions in the classified service. Promotions shall be based upon merit and competition and upon the superior qualifications of the person promoted as shown by his records of efficiency. Upon receipt of a Requisition for Certification from an Appointing Authority, the Director shall thereupon certify, to the Appointing Authority, the names of the three ranking eligibles from the most appropriate register, and if more than one vacancy is to be filled, the name of one additional eligible for each additional vacancy. When the vacancy for which the appointing authority has requested a list of eligibles is that of a department head, the director shall certify to the appointing authority, for its selection, the names of ~~all~~ six qualified candidates who apply, unless the appointing authority shall have requested the names of the three ranking eligibles only. However, in case of a vacancy in a position which requires peculiar and particular training and experience which, in the judgment of the board, may be properly acquired in the office of department in which the vacancy exists but not elsewhere, and it can be shown to the satisfaction of the board that there is in such office of department an employee who was regularly appointed and who is serving in a lower or different class or position following regular appointment, and whose familiarity with the duties of the position vacant and whose ascertained merit in performing or assisting in such work make it desirable for the best interests of the service to suspend competition, the board may, after a public hearing, approve the promotion of such employee, either without examination or with such tests or evidence of fitness as the board may see fit to require. Notice of the public hearing held under this section shall be given by mailing or delivering a copy of the notice to each governing body and/or appointing authority and/or department head affected, and by posting a copy of said notice publicly in the office of the board for at least three days prior to said hearing. All such cases shall be fully set forth in the minutes of the board. No suspension of competition for promotion authorized under this section shall be general in its application to such place or position and all such cases of suspension with the reasons for such action in each case shall be reported to the citizens supervisory commission at its next regular meeting. When promotional examinations are given, all employees who attain a passing grade shall have added to that grade one point for each year of service up to and including twenty years, irrespective of whether such service is continuous or not."

Section 3. Severability. If, for any reason, any clause, sentence, subsection or section, or any provision of this Act, or the application thereto to any person, body, situation or circumstance is held invalid or inoperative, the remainder of this Act and the application thereof to any other person, body, situation or circumstance shall not be affected thereby.

Section 4. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And said Bill, S. B. 284 together with the Report of the Committee on Conference, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

REPORT OF COMMITTEE ON CONFERENCE ADOPTED

On motion of Rep. Perdue, the House concurred in and adopted the Report of the Committee on Conference appointed to resolve the disagreement between the two Houses on the House amendment to the bill, S. 284, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 8; Nays 6.

Yeas:

Reps. Davis, Grayson, Holmes, McClain, McDowell, Perdue, Rogers and Spratt.

—8

Nays: Reps. Biddle, Curry, Petelos, Seibels, White (G) and Wright. —6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO INDEFINITELY POSTPONE

Rep. Seibels offered the motion to indefinitely postpone the bill, S. 284 as amended by the Report of the Committee on Conference.

SUBSTITUTE MOTION ADOPTED

The substitute motion offered by Rep. Perdue to temporarily postpone the bill, S. 284 as amended by the Report of the Committee on Conference, was adopted.

PERMISSION GRANTED

Permission was granted for the Journal to reflect that Rep. Slaughter intentionally abstained from voting on the bill, S. 284.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 250. To amend Sections 7-9-307, 7-9-402, 7-9-403, 7-9-404, and 7-9-407, Code of Alabama, 1975, to create the Uniform Commercial Code and Farm Products Central Index System Fund, to provide for fees relating to farm products and Uniform Commercial Code, to increase the amendatory statement filing fee, to increase the uniform fee for filing an original financing statement so as to include the termination fee, to discontinue the uniform fee for filing and indexing a termination statement for original financing statements filed after October 1, 1987, to empower the Secretary of State to set fees and charge for distributing microfilm reels containing copies of effective financing statements, to empower the Secretary of State to charge a fee for monthly partial listings of the master list of farm products registrants,

and to increase the fee for a search certificate, and authorizes the Secretary of State to promulgate regulations and set reasonable fees related to implementation of a central index system and to conduct user and public training relating to the Uniform Commercial Code and Farm Products Central Index System Program.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Carothers, the House concurred in and adopted the Senate amendment to the bill, H. 250, said Senate amendment being as follows:

On page 3, following subdivision (f), subsection (4) add the following new subdivision (g):

"(g) a stockyard buyer or seller is exempt from this act provided this exemption does not disqualify certification of this act by the U. S. Department of Agriculture. If this exemption does disqualify this act for certification by the U. S. Department of Agriculture, this particular subdivision (g) shall be null and void and shall not affect any other parts of this law."

Yeas 63; Nays 0.

Yeas:

Reps. Beasley, Black, Blake, Blakeney, Brooks, Bryant, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Faulk, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Walker, Warren, White (G), Williams, Willis, Wright and Zoghby.

—63

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 471. To provide for confidential communications between victims and victim counselors disclosed during the course of treatment for any emotional or psychological effects of a sexual assault or family violence.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Petelos, the House concurred in and adopted the Senate amendment to the bill, H. 471, said Senate amendment being as follows:

House bill 471 is amended by adding to section 2 at page 4 line 16 the following sub-paragraph (h):

(h) Nothing in this act shall be construed to permit a victim counselor to administer or prescribe drugs in any form, or in any manner to engage

in the practice of medicine as defined by the laws of this State or to engage in any act or to perform any service which act or service requires a license as described in chapters 8A, 21, 24, 26, or 30 of Title 34, Code of Alabama, 1975, unless such victim counselor is duly licensed by the appropriate licensing agency. Nothing in this act shall be construed to enlarge or expand the scope of practice of any of the licensed professions or occupations enumerated above by virtue of an individual being designated as or holding the position of victim counselor.

Amend House Bill No. 471 Page 1 Line 12, by inserting ", insofar as criminal proceedings are concerned," after the words "confidential communications"

and further amend House Bill No. 471 page 3 lines 9-10 by striking out: "action, suit, or other judicial, legislative or administrative" after the words: "in any criminal"

Yeas 63; Nays 0.

Yeas:

Reps. Beasley, Beers, Biddle, Black, Blake, Blakeney, Brooks, Bryant, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Faulk, Freeman, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Haynes, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Slaughter, Spratt, Walker, Warren, White (G), Williams, Wright and Zoghby.

—63

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. B. 706. To amend Sections 34-24-252, 34-24-255 and 34-24-276, Code of Alabama 1975, relating to the practice of podiatry, so as to provide for the powers and authority of the board of podiatry; to provide for the qualifications and examination of applicants for a license to practice podiatry; to prescribe additional conduct which shall be deemed unprofessional; to grant the board of podiatry certain subpoena powers; to provide for the conduct of hearings by the board and to grant members of the board of podiatry and certain other members civil immunity in certain instances.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed

the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO ADJOURN LOST

The motion offered by Rep. Grayson that the House adjourn until 10:00 o'clock a.m., Monday, August 3, 1987, was lost.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Junkins, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 289.

Yeas 59; Nays 1.

Yeas:

Reps. Beers, Black, Blake, Blakeney, Brooks, Bryant, Buskey (JL), Butler, Campbell, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Faulk, Freeman, Fuller, Gaston, Grouby, Hall, Harper, Harvey, Haynes, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Slaughter, Spratt, Warren, White (G), Wright and Zoghby.

—59

Nay: Rep. Grayson. —1

BUDGET ISOLATION RESOLUTION

On motion of Rep. Junkins, Budget Isolation Resolution relating to S. B. 289, was adopted.

Yeas 62; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Clark (W), Crow, Curry, Davis, Faulk, Flowers, Freeman, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Rains, Reed, Richardson, Rogers, Slaughter, Spratt, Warren, White (F), White (G), Wright and Zoghby.

—62

And the bill:

S. 289. To amend Sections 41-13-5 and 41-13-22 through 41-13-25, Code of Alabama 1975, relating to the management of certain public records so as to provide further for such management to include such records of municipalities; and to create a local government records commission in lieu of a county records commission and repeals Sections 11-47-150 through 11-47-155, Code of Alabama 1975.

Was read a third time at length and passed.

Yeas 61; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Brooks, Bryant, Buskey (JE), Buskey (JL), Butler, Carothers, Crow, Curry, Davis, Faulk, Flowers, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Slaughter, Spratt, Warren, White (F), White (G), Wright and Zoghby.

—61

S. 284 AGAIN TAKEN UP

MOTION TO INDEFINITELY POSTPONE LOST

The question was then on the motion offered by Rep. Seibels to indefinitely postpone the bill, S. 284 as amended by the Report of the Committee on Conference, and the motion was lost.

Yeas 4; Nays 7.

Yeas: Reps. Curry, Seibels, White (G) and Wright. —4

Nays:

Reps. Biddle, Davis, McClain, McDowell, Perdue, Rogers and Spratt.

—7

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 284. To further amend Sections 18 and 20 of an act designated as Act #248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for appointment of department heads from six qualified candidates unless the appointing authority shall request the three ranking eligibles only.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 8; Nays 5.

Yeas: Reps. Biddle, Davis, McClain, McDowell, Payne, Perdue, Rogers and Spratt.

—8

Nays: Reps. Curry, Petelos, Seibels, White (G) and Wright. —5

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Biddle, Budget Isolation Resolution relating to S. B. 140, was adopted.

Yeas 56; Nays 0.

Yeas:

Reps. Beasley, Black, Blake, Blakeney, Brooks, Bryant, Buskey (JE), Butler, Carothers, Clark (W), Crow, Curry, Davis, Faulk, Flowers, Freeman, Fuller, Gaston, Grayson, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Holley, Holmes, Hooper, Johnson (RG) Johnson (RW), Kennedy, Knight, Kvalheim, Laird, Layson, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Parker, Petelos, Poole, Rains, Reed, Richardson, Rogers, Slaughter, Turnham, Walker, Williams, Wright and Zoghby.

—56

And the bill:

S. 140. To make the illegal possession of food stamps a criminal offense, to define the degrees of such offense; to prescribe punishment; and to provide that any person convicted of such crime who is licensed under the Alcoholic Beverage Licensing Code shall have his license revoked in addition to criminal penalties.

Was read a third time at length and passed.

Yeas 69; Nays 0.

Yeas:

Reps. Beasley, Beers, Biddle, Black, Blake, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Faulk, Flowers, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Petelos, Poole, Reed, Richardson, Rogers, Seibels, Slaughter, Turnham, Walker, Warren, White (F), White (G), Williams, Wright and Zoghby.

—69

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 233. To provide for a revision of the guardianship laws of Alabama by providing: general provisions, definitions and jurisdiction of court; protection of persons under disability and their property; protection of property

of persons under disability and minors; to repeal Sections 26-2-1; 26-2-20 through 26-2-25, 26-2-40 through 26-2-42, 26-2-49, 26-3-2, 26-3-6, 26-4-1 through 26-4-155, 26-5-17, 26-5-37, 26-6-1 through 26-6-6, and 26-7-1 through 26-7-5 of the Code of Alabama 1975, as amended; and to amend Sections 26-2-2, 26-2-26, 26-2-43, 26-2-45, 26-2-47, 26-2-48, 26-2-50 through 26-2-55, 26-3-1, 26-3-3 through 26-3-5, 26-3-7, 26-3-8, 26-3-10 through 26-3-14, 26-5-1, 26-5-2, 26-5-4, 26-5-5, 26-5-7 through 26-5-10, 26-5-12 through 26-5-16, 26-5-18, 26-5-30 through 26-5-36, 26-5-38, 26-5-39, 26-5-50 through 26-5-52, 26-8-1, 26-8-20 through 26-8-24, 26-8-40 through 26-8-46, 26-8-48 through 26-8-52, and 26-9-2 Code of Alabama, 1975.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 935. To amend Section 27-41-14, Code of Alabama 1975, which provides for investments of life, disability and burial insurance companies, so as to allow said companies to invest in the African Development Bank.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 802. To amend Section 33-1-3, Code of Alabama 1975, which establishes the office of the Director of state docks, so as to establish the qualifications of the office and to provide that the Director's salary shall be fixed by the Governor, at any reasonable amount not to exceed by $5,000.00 the highest authorized salary for employees of the department in the classified service of the state.

McDOWELL LEE,
Secretary.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Hooper, Budget Isolation Resolution relating to S. B. 178, was adopted.

Yeas 62; Nays 0.

Yeas:

Reps. Black, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Faulk, Freeman, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy,

Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Turnham, Walker, Warren, White (F), Williams, Wright and Zoghby.

—62

And the bill:

S. 178. To amend Sections 16-25-11 and 36-27-11, Code of Alabama 1975, relating to the teachers' retirement system and the employees' retirement system, respectively, so as to provide further for the number of years of contributing membership service a member of such retirement systems shall complete before being allowed to restore previous creditable service with either such retirement system.

Was read a third time at length and passed.

Yeas 66; Nays 0.

Yeas:

Reps. Beers, Black, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Faulk, Freeman, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Walker, Warren, White (F), White (G), Williams, Wright and Zoghby.

—66

BUDGET ISOLATION RESOLUTION

On motion of Rep. Fuller, Budget Isolation Resolution relating to S. B. 242, was adopted.

Yeas 68; Nays 0.

Yeas:

Reps. Beasley, Beers, Black, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Faulk, Flowers, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Lindsey, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Turnham, Walker, Warren, White (G), Williams, Wright and Zoghby.

—68

And the bill:

S. 242. To authorize State Troopers to retire with twenty-five years service and to provide for the formula to be used in calculating retirement benefits.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Reps. Beasley, Beers, Black, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Faulk, Flowers, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Thomas, Turnham, Walker, Warren, White (F), White (G), Williams, Wright and Zoghby.

—71

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Fuller, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 587.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Fuller, Budget Isolation Resolution relating to S. B. 587, was adopted.

Yeas 68; Nays 1.

Yeas:

Reps. Beasley, Beers, Black, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Faulk, Flowers, Freeman, Fuller, Gaston, Grayson, Grouby, Hall, Hammett, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Thomas, Turnham, Walker, Warren, White (G), Williams, Wright and Zoghby .

—68

Nay: Rep. Harper. —1

And the bill:

S. 587. To create the Alabama Mothers and Babies Indigent Care Trust Fund; to create the Alabama Mothers and Babies Indigent Care Trust Fund Board to administer said fund; to provide for the said board's composition, powers, duties and authority; to provide for funding; to provide for the creation of the Alabama Mothers and Babies Indigent Care Trust Fund in the state treasury; and to provide that monies in said fund shall not revert to the general fund but shall be carried forward into each succeeding state fiscal year.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Reps. Beasley, Beers, Biddle, Black, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry,

Davis, Faulk, Freeman, Fuller, Gaston, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Thomas, Turnham, Walker, Warren, White (G), Williams, Wright and Zoghby.

—71

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Holmes, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 477.

Yeas 53; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Crow, Curry, Faulk, Flowers, Freeman, Gaston, Grayson, Grouby, Hall, Harper, Harvey, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Junkins, Kennedy, Knight, Laird, Layson, Lindsey, Mathis, McClain, McDowell, Moon, Parker, Payne, Perdue, Petelos, Rains, Reed, Richardson, Spratt, Walker, Warren, White (G), Williams, Wright and Zoghby.

—53

BUDGET ISOLATION RESOLUTION

On motion of Rep. Holmes, Budget Isolation Resolution relating to S. B. 477, was adoped.

Yeas 58; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Faulk, Flowers, Fuller, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, Moon, Newman, Parker, Payne, Perdue, Rains, Reed, Richardson, Slaughter, Spratt, Walker, Warren, White (G), Williams and Wright.

—58

And the bill:

S. 477. To create the Alabama Manufactured Housing Commission Recovery Fund; to insure that purchasers of manufactured homes have a forum for addressing complaints regarding said homes; to create a fund to compensate said purchasers if their complaints are not remedied; and to provide that consumer complaints regarding manufactured houses shall be heard by the Alabama Manufactured Housing Commission, an independent state agency, in accordance with the terms of the Alabama Administrative Procedure Act.

Was read a third time at length and passed.

Yeas 59; Nays 1.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Cosby, Crow, Curry, Davis, Faulk, Freeman, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Holmes, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Laird, Lindsey, Marietta, Mathis, McClain, McDowell, McKee, Moon, Newman, Parker, Payne, Perdue, Poole, Reed, Richardson, Rogers, Slaughter, Spratt, Thomas, Walker, Warren, White (F), White (G), Williams and Wright.

—59

Nay: Rep. Holley. —1

BUDGET ISOLATION RESOLUTION

On motion of Rep. Holmes, Budget Isolation Resolution relating to S. B. 478, was adopted.

Yeas 52; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Cosby, Crow, Curry, Davis, Faulk, Freeman, Grayson, Grouby, Hall, Hammett, Harvey, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Laird, Lindsey, Mathis, McClain, McDowell, McKee, Moon, Newman, Parker, Payne, Perdue, Richardson, Rogers, Slaughter, Spratt, Thomas, Walker, Warren, White (G) and Wright.

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 478. To amend Sections 24-6-3 and 24-6-4, Code of Alabama 1975, so as to further provide for the duties, functions, administration and remuneration of the Alabama Manufactured Housing Commission; and to provide that no commissioner shall be liable for damages resulting from any act performed in carrying out his duties as a commissioner.

Was read a third time at length and passed.

Yeas 54; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Clark (W), Crow, Curry, Davis, Faulk, Fuller, Grayson, Grouby, Hammett, Harvey, Haynes, Hettinger, Higginbotham, Holmes, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Laird, Layson, Lindsey, Mathis, McClain, McKee, Moon, Newman, Parker, Payne, Perdue,

Petelos, Poole, Rains, Reed, Rogers, Slaughter, Spratt, Thomas, Walker, Warren, White (G) and Wright.

—54

UNCONTESTED LOCAL BILLS

Rep. Grayson offered the motion to suspend the rules in order to bring up all uncontested local bills, and the motion was adopted.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Bryant, Budget Isolation Resolution relating to S. B. 407, was adopted.

Yeas 32; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Brooks, Butler, Clark (W), Davis, Gaston, Grayson, Grouby, Hammett, Haynes, Hettinger, Johnson (RG), Junkins, Kennedy, Kvalheim, Laird, McClain, McDowell, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Rogers, White (G), Wright and Zoghby.

—32

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

S. B. 407 INDEFINITELY POSTPONED

On motion of Rep. Bryant the bill,

S. 407. To propose an amendment to the Constitution of Alabama of 1901 relative to the compensation of the judge of probate of Hale County.

was indefinitely postponed.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Burke, Budget Isolation Resolution relating to S. B. 418, was adopted.

Yeas 40; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Bryant, Burke, Butler, Crow, Curry, Davis, Freeman, Gaston, Grayson, Grouby, Hall, Hammett, Haynes, Hettinger, Holmes, Junkins, Kennedy, Knight, Kvalheim, Laird, McClain, McDowell, McMillan, Newman, Parker, Payne, Perdue, Rains, Rogers, Slaughter, Spratt, Walker, White (G) and Zoghby.

—40

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 418. (With Amendment): Relating to DeKalb County; authorizing the probate judge to deposit the accounts of the probate office in an interest bearing account.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

On page 1, line 20, beginning with the word "The" delete the entire last sentence of Section 1 down through and including the word "office" on line 22 and insert in lieu thereof the following sentences:

The interest earned by these accounts shall be deposited in the county general fund and the needs of the probate office shall have priority when the county commission disburses the interest earned by these accounts. Such interest shall not be used to replace any portion of the annual appropriation made each fiscal year to the probate office.

And the amendment was adopted.

Yeas 45; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Clark (W), Crow, Curry, Freeman, Gaston, Grayson, Grouby, Hall, Hammett, Harvey, Hettinger, Holmes, Junkins, Kennedy, Knight, Kvalheim, Laird, McClain, McDowell, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Rains, Slaughter, Spratt, Turnham, Walker, White (G), Wright and Zoghby.

—45

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 418, as thus amended, was read a third time at length and passed.

Yeas 45; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Bryant, Burke, Buskey (JL), Butler, Crow, Curry, Davis, Freeman, Gaston, Grayson, Grouby, Hall, Hammett, Harvey, Haynes, Hettinger, Holmes, Hooper, Junkins, Knight, Kvalheim, Laird, Marks, McClain, McDowell, McMillan, Moon, Newman, Parker, Payne,

Perdue, Rains, Rogers, Slaughter, Spratt, Turnham, Walker, White (G) and Zoghby.

—45

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BUDGET ISOLATION RESOLUTION

On motion of Rep. McMillan, Budget Isolation Resolution relating to S. B. 658, was adopted.

Yeas 42; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Brooks, Bryant, Buskey (JL), Curry, Davis, Freeman, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Holmes, Hooper, Junkins, Kennedy, Knight, Kvalheim, Laird, McDowell, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Rains, Rogers, Slaughter, Spratt, Walker, White (G), Wright and Zoghby.

—42

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 658. Relating to Baldwin County; providing for a Planning and Zoning Commission for the unincorporated areas of the county; providing for the organization, membership, functions, authority and jurisdiction of such commission; prescribing procedures for establishing planning and zoning districts in certain unincorporated areas of the county; prescribing procedures for formulating and implementing district development plans; providing that each tract or parcel of property within a planning and zoning district shall be assessed a certain development privilege fee subject to certain limitations to finance the development functions of the county planning and zoning commission; providing appellate procedures for planning and zoning; prohibiting certain regulations adopted by the commission from being retroactive and providing that this act shall have supplemental effect.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Bryant, Buskey (JL), Curry, Freeman, Grayson, Grouby, Hall, Hammett, Harper, Haynes, Hettinger, Holmes, Hooper, Junkins, Kennedy, Knight, Kvalheim, Laird, McMillan, Moon, Parker, Payne, Perdue, Rains, Slaughter, Spratt, White (G) and Zoghby.

—34

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Parker, Budget Isolation Resolution relating to S. B. 58, was adopted.

Yeas 36; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Box, Brooks, Bryant, Burke, Cosby, Curry, Freeman, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Haynes, Hettinger, Hooper, Junkins, Kennedy, Knight, Kvalheim, Laird, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Rains, Slaughter, Spratt, White (G) and Zoghby.

—36

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 58. Relating to Morgan County; authorizing the county to pay all its employees whose compensation is provided for by local act bi-weekly instead of semi-monthly and to repeal all provisions of all local acts which conflict with this act.

Was read a third time at length and passed.

Yeas 41; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Brooks, Bryant, Burke, Buskey (JL), Crow, Curry, Freeman, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Hettinger, Holmes, Hooper, Junkins, Kennedy, Knight, Kvalheim, Laird, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Rains, Slaughter, Spratt, Walker, White (G), Wright and Zoghby.

—41

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Burke, Budget Isolation Resolution relating to S. B. 419, was adopted.

Yeas 40; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Bryant, Burke, Buskey (JL), Butler, Crow, Curry, Flowers, Freeman, Grayson, Grouby, Hall, Hammett, Harper, Haynes, Hettinger, Hooper, Junkins, Kennedy, Kvalheim, Laird, McMillan, Moon, Newman, Parker, Perdue, Petelos, Rains, Slaughter, Spratt, Turnham, Walker, White (G), Wright and Zoghby.

—40

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 419. Relating to DeKalb County; to provide for an optional system of Alabama business licenses purchasing by mail; to authorize an additional fee for mailing licenses; and to provide for the disposition of such fees.

Was read a third time at length and passed.

Yeas 41; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Bryant, Burke, Buskey (JL), Crow, Curry, Flowers, Freeman, Gaston, Grayson, Grouby, Hall, Hammet, Harvey, Haynes, Hettinger, Holmes, Hooper, Junkins, Knight, Kvalheim, Laird, McMillan, Moon, Newman, Payne, Perdue, Petelos, Rains, Richardson, Slaughter, Spratt, Walker, White G), Wright and Zoghby.

—41

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Cosby, Budget Isolation Resolution relating to S. B. 506, was adopted.

Yeas 32; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Bryant, Buskey (JL), Butler, Cosby, Curry, Grayson, Hall, Hammett, Harvey, Hettinger, Holmes, Junkins, Knight, Kvalheim, McMillan, Moon, Newman, Payne, Perdue, Petelos, Slaughter, Spratt, Walker, White (G), Wright and Zoghby.

—32

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 506. To amend Section 11-43-40, Code of Alabama 1975, relating to the composition of city councils in cities having a population of 12,000 or more presently operating with five single-member districts as established under a Federal Court Order, so as to provide for a procedure to establish a council of eight aldermen to be elected from districts and a council president to be elected at large.

Was read a third time at length and passed.

Yeas 37; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Bryant, Buskey (JL), Butler, Cosby, Curry, Freeman, Grayson, Grouby, Hall, Hammett, Haynes, Hettinger, Holmes, Junkins, Knight, Kvalheim, Laird, McMillan, Newman, Payne, Perdue, Petelos, Rains, Richardson, Slaughter, Spratt, Thomas, Walker, White (G), Wright and Zoghby.

—37

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Black, Budget Isolation Resolution relating to S. B. 535, was adopted.

Yeas 27; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Bryant, Buskey (JL), Butler, Cosby, Curry, Grayson, Hammett, Harvey, Junkins, Knight, Kvalheim, McMillan, Newman, Payne, Perdue, Petelos, Richardson, Slaughter, Spratt, White (G), Wright and Zoghby.

—27

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 535. Relating to Greene County; to extend the privilege or license and excise and sales tax provisions of Act No. 77-487, H. 1226 of the 1977

Regular Session (Acts 1977, p. 636) without any action of the County Governing Body or a vote of the people.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Bryant, Butler, Cosby, Curry, Freeman, Grayson, Hammett, Harvey, Hettinger, Junkins, Knight, Kvalheim, McMillan, Moon, Newman, Parker, Payne, Perdue, Richardson, Slaughter, Spratt, White (G) and Zoghby.

—29

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Crow, Budget Isolation Resolution relating to S. B. 662, was adopted.

Yeas 33; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Buskey (JL), Crow, Curry, Freeman, Grayson, Grouby, Hall, Hammett, Harvey, Haynes, Hettinger, Junkins, Knight, Kvalheim, Laird, McMillan, Moon, Newman, Parker, Payne, Perdue, Richardson, Slaughter, Spratt, Walker, White (G) and Zoghby.

—33

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 662. Relating to the City of Oxford in Calhoun County; providing that the office of mayor shall be full-time.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Box, Brooks, Buskey (JL), Crow, Curry, Freeman, Grayson, Grouby, Hall, Hammett, Harvey, Haynes, Hettinger, Holmes, Junkins, Knight, Kvalheim, Laird, McMillan, Newman, Parker, Payne, Perdue, Petelos, Slaughter, Spratt, Walker, White (G) and Zoghby.

—32

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Parker, Budget Isolation Resolution relating to S. B. 687, was adopted.

Yeas 30; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Buskey (JL), Curry, Freeman, Grayson, Hall, Hammett, Hettinger, Holmes, Junkins, Knight, Kvalheim, Lindsey, Marks, McMillan, Moon, Newman, Parker, Payne, Perdue, Slaughter, Spratt, Walker, White (G) and Zoghby.

—30

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 687. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Buskey (JL), Curry, Freeman, Grayson, Hall, Hammett, Hettinger, Holmes, Junkins, Knight, Kvalheim, Marks, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Richardson, Slaughter, Spratt, Walker, White (G) and Zoghby.

—31

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BUDGET ISOLATION RESOLUTION

On motion of Rep. McMillan, Budget Isolation Resolution relating to S. B. 349, was adopted.

Yeas 26; Nays 0.

Yeas:

Reps. Beers, Black, Blakeney, Box, Brooks, Buskey (JL), Curry, Grayson, Grouby, Hammett, Haynes, Junkins, Knight, Kvalheim, Laird, McMillan, Newman, Parker, Payne, Perdue, Richardson, Slaughter, Spratt, Walker, White (G) and Zoghby.

—26

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 349. (With Amendment): To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores, in Baldwin County.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows.

Amend S. B. 349, page 4, Section 2, line 7, after the word "chapter" by striking 2 and inserting 42

And the amendment was adopted.

Yeas 28; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Curry, Freeman, Grayson, Hamilton, Hammett, Haynes, Hettinger, Junkins, Knight, Kvalheim, Layson, McMillan, Moon, Newman, Payne, Perdue, Petelos, Richardson, Slaughter, Spratt, White (G) and Zoghby.

—28

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 349, as thus amended, was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Buskey (JL), Curry, Freeman, Grayson, Grouby, Hammett, Haynes, Hettinger, Holmes, Junkins,

Knight, Kvalheim, Laird, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Richardson, Slaughter, Spratt, White (G) and Zoghby.

—31

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Zoghby, Budget Isolation Resolution relating to S. B. 448, was adopted.

Yeas 32; Nays 1.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Brooks, Crow, Curry, Freeman, Gaston, Grayson, Grouby, Hall, Hammett, Hettinger, Junkins, Knight, Kvalheim, Laird, Layson, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Richardson, Slaughter, Spratt, Walker, White (G) and Zoghby.

—32

Nay: Rep. Box. —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 448. Relating to Mobile County; to amend Act No. 544, S. 602, 1967 Regular Session, as amended, which provides for funds from the general fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, so as to provide further for said funding.

Was read a third time at length and passed.

Yeas 31; Nays 1.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Brooks, Buskey (JL), Curry, Gaston, Grayson, Grouby, Hall, Hammett, Haynes, Hettinger, Junkins, Knight, Kvalheim, Laird, Layson, McMillan, Moon, Newman, Parker, Payne, Perdue, Richardson, Slaughter, Spratt, Walker, White (G) and Zoghby.

—31

Nay: Rep. Box. —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BUDGET ISOLATION RESOLUTION TEMPORARILY POSTPONED

On motion of Rep. Freeman, the Budget Isolation Resolution relating to the bill, S. 305, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 697. To amend Section 16-13-184, Code of Alabama 1975, which relates to the conduct of elections, so as to provide further for the voting hours for county elections regarding school taxes.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 735. To amend section 11-81-11 of the Code of Alabama 1975, as heretofore amended, to permit the sale of bonds issued under the authority of Chaper 81 of Title 11 of the Code of Alabama 1975, as amended, to be sold at public or private sale as the governing body of the municipality or county may determine.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 719. To authorize the establishment of "enterprise zones," pursuant to state tax and other incentives in order to promote job creation and economic development; to provide for the duties and authority of the Alabama Department of Economic and Community Affairs, the Alabama Department of Industrial Relations, the Alabama Development Office, the Department of Revenue, and the local governing bodies; to provide the requirements for participation; to provide for state and local tax and nontax incentives; and to provide with respect to financing, for financial assistance to municipalities and individuals and businesses under any act of the Congress of the United States heretofore or hereafter enacted.

McDOWELL LEE,
Secretary.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Freeman, Budget Isolation Resolution relating to S. B. 305, was adopted.

Yeas 31; Nays 0.

Yeas:

Reps. Beers, Biddle, Blakeney, Box, Brooks, Butler, Crow, Curry, Freeman, Grayson, Hall, Hammett, Hettinger, Junkins, Knight, Kvalheim, Layson, McMillan, Moon, Newman, Payne, Perdue, Petelos, Richardson, Rogers, Slaughter, Spratt, Walker, White (G), Wright and Zoghby.

—31

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 305. (With Amendment): Relating to the Twenty-third Judicial Circuit consisting of Madison County; to amend section 3 of Act No. 80-485, H. 859, Regular Session 1980 (Acts 1980, p. 755), which provides for the collection of additional court costs, so as to increase the amount of such costs to defray the expense of jury and witness parking.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said committee amendment being as follows:

Amend S. B. 305, page 2 by adding the following:

Section 2. Lease arrangements shall be obtained for purposes of juror parking with all fees collected under the provisions of this act, if less expensive. And renumbering subsequent section.

And the amendment was adopted.

Yeas 32; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Box, Brooks, Butler, Carothers, Crow, Curry, Freeman, Grayson, Hall, Hammett, Hettinger, Junkins, Knight, Kvalheim, Layson, Mathis, McMillan, Moon, Parker, Payne, Perdue, Richardson, Slaughter, Spratt, Turnham, Walker, White (G), Wright and Zoghby.

—32

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 305, as thus amended, was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Reps. Beers, Black, Blakeney, Box, Brooks, Butler, Carothers, Crow, Curry, Freeman, Grayson, Hall, Hammett, Harper, Hettinger, Junkins, Knight, Kvalheim, Layson, Mathis, McMillan, Moon, Parker, Perdue, Petelos, Richardson, Slaughter, Spratt, Walker, White (G), Wright and Zoghby.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO ADJOURN LOST

The motion offered by Rep. Freeman that the House adjourn until 10:00 o'clock a.m., Monday, August 3, 1987, was lost.

Yeas 8; Nays 41.

Yeas:

Reps. Brooks, Freeman, Grayson, Hall, McKee, Reed, Rogers and Williams.

—8

Nays:

Reps. Beers, Blakeney, Box, Burke, Butler, Carothers, Crow, Curry, Flowers, Grouby, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hooper, Johnson (RG), Junkins, Knight, Kvalheim, Laird, Layson, Mathis, McMillan, Moon, Newman, Parker, Payne, Petelos, Rains, Richardson, Slaughter, Spratt, Thomas, Turnham, Walker, Warren, White (F), White (G) and Zoghby.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Turnham, Budget Isolation Resolution relating to S. B. 84, was adopted.

Yeas 55; Nays 0.

Yeas:

Reps. Beasley, Beers, Biddle, Black, Blakeney, Box, Brooks, Burke, Buskey (JL), Butler, Carothers, Crow, Curry, Davis, Faulk, Flowers, Freeman,

Grayson, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Higginbotham, Holley, Holmes, Johnson (RG), Junkins, Knight, Laird, Lindsey, Marks, Mathis, Moon, Newman, Parker, Payne, Perdue, Petelos, Rains, Reed, Richardson, Rogers, Slaughter, Spratt, Thomas, Turnham, Walker, Warren, White (F), White (G), Williams, Wright and Zoghby.

—55

And the bill:

S. 84. (With Amendment): To amend Code of Alabama 1975, §20-2-93, relating to seizure and forfeiture of property in controlled substances cases.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend Senate Bill 84, Section 2, Page 6, Line 28, by adding the following sentence after the word use." The procedures for the condemnation and forfeiture of property other than real property and fixtures seized under this act shall be governed by and shall conform to Code of Alabama 1975, §§ 28-4-286 and 28-4-290, as heretofore and hereafter construed by the courts of this state.

And the amendment was adopted.

Yeas 57; Nays 0.

Yeas:

Reps. Beasley, Beers, Biddle, Black, Blakeney, Box, Brooks, Burke, Buskey (JL), Butler, Carothers, Cosby, Crow, Curry, Faulk, Flowers, Freeman, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Higginbotham, Holley, Holmes, Johnson (RG), Junkins, Knight, Kvalheim, Laird, Lindsey, Marks, Mathis, McKee, McMillan, Moon, Newman, Parker, Payne, Petelos, Poole, Rains, Reed, Richardson, Slaughter, Thomas, Turnham, Walker, Warren, White (F), White (G), Williams, Wright and Zoghby.

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And the bill, S. 84, as thus amended, was read a third time at length and passed.

Yeas 54; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Box, Brooks, Burke, Buskey (JL), Butler, Carothers, Cosby, Crow, Curry, Flowers, Freeman, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Higginbotham, Holley, Holmes, Johnson (RG), Junkins, Knight, Laird, Lindsey, Marks, Mathis, McKee, McMillan, Moon, Newman, Parker, Payne, Petelos, Poole, Rains,

Reed, Richardson, Slaughter, Thomas, Turnham, Walker, Warren, White (F), White (G), Williams, Wright and Zoghby.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 179. MOURNING THE DEATH OF THE REVEREND MARSHALL FOCH ROBINSON OF MOBILE, ALABAMA.

Also:

S. 538. Relating to Jackson County; to provide for the relief of Ruby Butler, former tax assessor of Jackson County, Alabama, by the payment of certain funds due her as expenses incurred during her term as tax assessor.

Also:

S. 131. To amend Section 16-10-1, Code of Alabama 1975, so as to eliminate the requirement that local school trustees must be appointed by the county board of education.

Also:

S. 227. To amend Sections 34-26-22, 34-26-43 and 34-26-43.1, Code of Alabama 1975, relating to the Board of Examiners in Psychology, so as to provide for increases in certain fees charged by the board.

Also:

S. J. R. 94. CONTINUING THE JOINT GOVERNOR'S-LEGISLATIVE TASK FORCE ON CHILD DAY CARE.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 417. COMMENDING SCOTT PAPER COMPANY AND ITS LEADERSHIP FOR OUTSTANDING COMMUNITY CONTRIBUTIONS AND INVOLVEMENT.

Also:

H. J. R. 418. COMMENDING CALVIN WOOTEN OF ANNISTON, ALABAMA, RECIPIENT OF THE 1987 AMBASSADOR AWARD.

Also:

H. J. R. 420. HONORING THE LATE PAUL C. DAVIS OF ATHENS, ALABAMA, AND EXPRESSING SPECIAL APPRECIATION IN HIS BEHALF TO HIS WIFE, MRS. RACHEL DAVIS.

Also:

H. J. R. 421. MOURNING THE DEATH OF BILLIE CARLTON HUDSON OF BLOUNTSVILLE, ALABAMA.

Also:

H. J. R. 422. RECOGNIZING THE SERVICE CORPS OF RETIRED EXECUTIVES FOR OUTSTANDING CONTRIBUTIONS TO ALABAMA'S SMALL BUSINESSES.

Also:

H. J. R. 423. COMMENDING CONSUELLO HARPER OF MONTGOMERY, ALABAMA.

Also:

H. J. R. 424. COMMENDING DEREK B. GRANGER, MILLBROOK, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 435. COMMENDING THE ROBERT WESLEY AND EDNA WHITE PITTS FAMILY.

Also:

H. J. R. 436. COMMENDING THE AARON AND MAMIE FRANKLIN FAMILY.

Also:

H. J. R. 439. MOURNING THE DEATH OF ROBERT DAVID ROLLINS OF MONTGOMERY, ALABAMA.

Also:

H. J. R. 441. COMMENDING SHAREE DELLYNNE KEMP OF DORA, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY SERVICE.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 446. COMMENDING THE HISTORIC BYRD SCHOOL ODYSSEY OF THE MIND TEAM.

Also:

H. J. R. 447. COMMENDING THE MEADOWVIEW/EAST END ODYSSEY OF THE MIND TEAM.

Also:

H. J. R. 459. COMMENDING TONYA HELM OF CENTER POINT, ALABAMA, AS ONE OF OUR STATE'S MOST ACCOMPLISHED HIGH SCHOOL ATHLETES.

Also:

H. J. R. 460. RECOGNIZING WITH COMMENDATION, THE 100TH ANNIVERSARY OF THE BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES.

Also:

H. J. R. 461. HONORING THE 276TH ENGINEER COMBAT BATTALION FOR MERITORIOUS SERVICE TO OUR NATION.

Also:

H. J. R. 462. MOURNING THE DEATH OF HOYT DONALD NEWSOME OF SYLVANIA, ALABAMA.

Also:

H. J. R. 466. COMMENDING DEWEY DRAIN FOR DISTINGUISHED SERVICE TO THE PUBLIC SCHOOLS AND TO THE MARSHALL COUNTY BOARD OF EDUCATION.

Also:

H. J. R. 467. COMMENDING THE HONORABLE IRVING J. STOLBERG OF CONNECTICUT.

Also:

H. J. R. 468. COMMENDING RONNIE COTTRELL, FOOTBALL COACH OF FLOMATON HIGH SCHOOL, ON HIS OUTSTANDING COACHING CAREER.

Also:

H. J. R. 476. COMMENDING THE OFFICERS OF THE ALABAMA DIVISION, UNITED DAUGHTERS OF THE CONFEDERACY.

Also:

H. J. R. 481. COMMENDING THE VOLUNTEER AUXILIARY OF THE UNIVERSITY OF ALABAMA HOSPITAL AT BIRMINGHAM.

Also:

H. J. R. 484. MOURNING THE DEATH OF EUEL HOWARD GENTRY OF TALLADEGA, ALABAMA.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 469. EXPRESSING LEGISLATIVE INTENT AND PUBLIC POLICY WITH RESPECT TO FEDERAL AND STATE CONTROLS ON THE ATTAINMENT OF OZONE AIR QUALITY STANDARDS.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 510. To establish the "County Oil and Gas Severance Trust Fund" with revenue from certain local county severance tax revenues from oil and gas production, plus certain income or interest; to regulate and provide for the administration of the expenditures of such funds by the county; to specifically repeal Act No. 2120, H. 2450, Regular Session 1971 (Acts 1971, Vol. V, p. 3399), as amended, relating to Baldwin County privilege tax on persons engaged in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters; to specifically provide that this bill shall not be construed to repeal Section 40-20-2, Code of Alabama 1975, as amended, which levies certain taxes upon the production or severing oil or gas from the soil or waters; and to provide for non-severability construction.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. McMillan, the House concurred in and adopted the Senate amendment to the bill, H. 510, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To establish "County Oil and Gas Severance Tax Trust Funds" in the counties of the state with revenue derived from certain local county severance taxes on producers of oil and gas and other hydrocarbons, plus certain income or interest; to regulate and provide for the administration of the expenditures of such trust funds by counties in the state in which such taxes are now or may hereafter be levied; to provide for the maximum funding of such trust funds; to specifically repeal, following the full funding of such trust fund established with respect to Baldwin County, Act No. 2120, H. 2450, Regular Session 1971 (Acts 1971, Vol. V, p. 3399), as amended, relating to Baldwin County privilege tax on persons engaged in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters and to provide for the repeal of other similar taxes that may be hereafter levied for counties; to specifically provide that this bill shall not be construed to

repeal that part of Title 40, Code of Alabama 1975, as amended, which provides for the levy of certain taxes upon the production or severing oil or gas from the soil or waters of the state; and to provide for non-severability construction and an effective date.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section. 1. Any laws or parts of laws to the contrary notwithstanding, any annual privilege tax levied upon persons engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or waters of this state measured by the gross value of such oil or gas or other hydrocarbons and which tax is applicable only in a particular county and under which collections were being made on January 1, 1987, or which shall hereafter be levied pursuant to legislative act, shall be continued and collected only as herein prescribed:

(a) All revenues collected from such local severance taxes, shall, beginning the first day of the month following the effective date of this Act, be paid into the general fund of the county exclusively for transfer and deposit into a trust fund hereby established until the total sum of $15,000,000 in severance tax revenues of the type described in this Act, excluding any interest income on amounts deposited therein from such total sum, has been deposited into such trust fund. Upon the deposit into said trust fund of a county of a total of $15,000,000 in such severance tax revenues, any local law authorizing or levying such tax, including, without limitation, Act No. 2120, H. 2450, Regular Session 1971 (Acts 1971, Vol. V, p. 3399), shall stand repealed and no further taxes shall be levied thereunder. Any such local oil and gas severance tax revenues in excess of such $15,000,000 amount collected in any county after the time the total of such tax proceeds paid into such trust fund established hereby for such county shall reach $15,000,000, shall be refunded as promptly as shall be reasonably practicable to the payers thereof. The county governing body shall not be authorized to make any expenditure from any monies composing the corpus of said trust fund so long as it shall remain in existence. Said trust fund shall be designated in each county as the "County Oil and Gas Severance Tax Trust Fund," and is hereinafter referred to as the "trust fund."

(b) Commencing with the first year in which any trust fund provided for in this Act shall receive deposits as required hereunder, and in each year thereafter, the county governing body shall take steps to ensure that the trust fund shall retain the total severance tax revenues paid therein plus ten percent (10%) of any net income or interest generated by the investment of such severance tax revenues, which sum shall be and become a part of the corpus of the trust fund. A sum, not to exceed ninety percent (90%) of the net income or interest thereby generated from said investments, shall be distributed quarterly, semiannually or annually, as designated by the trustees of the trust, to the general fund of the county for which a trust fund is established pursuant to this Act.

(c) The county governing body shall constitute the trustees of the trust, provided, however, that the said governing body may in its discretion appoint one or more trustees or escrow agents for the trust, which trustees or escrow agents shall be trust companies or national or state banks having powers of a trust company within or without the State of Alabama. The trustees shall invest the corpus of the trust only in direct general obligations of, or obligations the payment of the principal of and interest on which are unconditionally and irrevocably guaranteed by, the United States of America. Provided, however, that notwithstanding any legal limitation that might

otherwise be applicable, the trustees shall further have the authority in their discretion to invest such trust fund in certificates of deposit of any savings and loan associations or banks, whether federally or state chartered, whose principal office is located in this state, provided that such funds so invested are fully secured by pledges of securities of the type described in the immediately preceding sentence hereof.

(d) Upon the deposit into a trust fund established pursuant to this Act of the total sum of $15,000,000 in severance tax revenues of the type described in this Act, excluding any interest as income in such total sum, and the consequent repeal of the local law authorizing or levying such tax, the county governing body of a county for which a trust fund established hereunder shall be in existence shall be thereafter prohibited from levying or collecting, directly or indirectly, any local county severance tax of the type described in this Act that was in existence prior to January 1, 1987, or that may be established hereafter, and any act authorizing such county oil and gas severance tax shall thereafter stand repealed.

Section 2. It is specifically provided that this Act shall not be construed to repeal or be in any way deemed amendatory of any of the provisions of Article 1 of Chapter 20 of Title 40, Code of Alabama 1975, as amended.

Section 3. The provisions of this Act are inseparable and non-severable and if any section, clause or provision of this Act shall be declared unconstitutional or invalid the entire Act shall be void and be inoperative and have no effect.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 47; Nays 0.

Yeas:

Mr. Speaker, Beasley, Biddle, Blakeney, Box, Brooks, Burke, Buskey (JL), Butler, Carothers, Crow, Curry, Davis, Faulk, Freeman, Goodwin, Grayson, Grouby, Hall, Harper, Haynes, Higginbotham, Johnson (RG), Junkins, Knight, Kvalheim, Laird, Lindsey, Marks, Mathis, McKee, McMillan, Moon, Newman, Parker, Payne, Petelos, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Turnham, Walker, White (G) and Zoghby.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 286. To provide further for the sale or proper disposal of certain historical property used in legislative chambers; to authorize the historical commission to set a standard rate for certain restored period legislative desks

and for the legislative chairs used in the Alabama Legislature; to authorize the secretary of the senate and the clerk of the house to dispose of certain such desks and chairs at such standard rate, or to otherwise make disposal thereof; and to provide for the distribution of net revenues.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Richardson, the House concurred in and adopted the Senate amendment to the bill, H. 286, said Senate amendment being as follows:

Amend H. B. 286 as follows:

On page 1 line 28 after the word "chairs" add the following:

"and/or desks"

Further amend H. B. 286 as follows:

On page 1 line 32 after the word "chair" delete the period and add the following:

"and/or desk."

Further amend H. B. 286 as follows:

On page 1 line 34 after the word "chairs" delete the comma and add the following:

"and/or desks,"

Further amend H. B. 286 as follows:

On page 1 line 35 after the word "chairs" add the following:

"and/or desks"

Yeas 42; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Blakeney, Brooks, Burke, Buskey (JL), Crow, Curry, Flowers, Freeman, Goodwin, Grayson, Grouby, Hall, Harvey, Higginbotham, Junkins, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, McKee, McMillan, Moon, Newman, Parker, Payne, Petelos, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Turnham, Walker, White (G), Wright and Zoghby.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Rep. Turnham offered the motion to reconsider the vote by which the bill, S. 84 as amended, was passed, and the motion to reconsider was adopted.

MOTION TO ADJOURN LOST

The motion offered by Rep. Holmes that the House adjourn until 10:00 o'clock a.m., Monday, August 3, 1987, was lost.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 126. To provide for the procedure for verification of eligibility for homestead exemptions provided in the Code of Alabama, 1975, Sections 40-9-19 and 40-9-21.

Also:

H. 223. To allow certfied copies of case action summary or docket sheets or other court records to be admitted into evidence for the purpose of proving that a person has been previously convicted of a crime.

Also:

H. 233. To provide for a revision of the guardianship laws of Alabama by providing: general provisions, definitions and jurisdiction of court; protection of persons under disability and their property; protection of property of persons under disability and minors; to repeal Sections 26-2-1; 26-2-20 through 26-2-25, 26-2-40 through 26-2-42, 26-2-49, 26-3-2, 26-3-6, 26-4-1 through 26-4-155, 26-5-17, 26-5-37, 26-6-1 through 26-6-6, and 26-7-1 through 26-7-5 of the Code of Alabama 1975, as amended; and to amend Sections 26-2-2, 26-2-26, 26-2-43, 26-2-45, 26-2-47, 26-2-48, 26-2-50 through 26-2-55, 26-3-1, 26-3-3 through 26-3-5, 26-3-7, 26-3-8, 26-3-10 through 26-3-14, 26-5-1, 26-5-2, 26-5-4, 26-5-5, 26-5-7 through 26-5-10, 26-5-12 through 26-5-16, 26-5-18, 26-5-30 through 26-5-36, 26-5-38, 26-5-39, 26-5-50 through 26-5-52, 26-8-1, 26-8-20 through 26-8-24, 26-8-40 through 26-8-46, 26-8-48 through 26-8-52, and 26-9-2 Code of Alabama, 1975.

Also:

H. 250. To amend Sections 7-9-307, 7-9-402, 7-9-403, 7-9-404, and 7-9-407, Code of Alabama, 1975, to create the Uniform Commercial Code and Farm Products Central Index System Fund, to provide for fees relating to farm products and Uniform Commercial Code, to increase the amendatory statement filing fee, to increase the uniform fee for filing an original financing statement so as to include the termination fee, to discontinue the uniform fee for filing and indexing a termination statement for original financing statements filed after October 1, 1987, to empower the Secretary of State to set fees and charge for distributing microfilm reels containing copies of effective financing statements, to empower the Secretary of State to charge a fee for monthly partial listings of the master list of farm products registrants, and to increase the fee for a search certificate, and authorizes the Secretary of State to promulgate regulations and set reasonable fees related to implementation of a central index system and to conduct user and public training relating to the Uniform Commercial Code and Farm Products Central Index System Program.

Also:

H. 792. To amend Section 41-9-201(a), Code of Alabama 1975, which establishes the office of the Director of Development, so as to establish qualifications of office of Director of Development and provide that the Director's salary shall be fixed by the Governor, at any reasonable amount not to exceed by $25,742.00 the highest authorized salary for employees of the Alabama Development Office who are subject to the provisions of the merit system law.

Also:

H. 802. To amend Section 33-1-3, Code of Alabama 1975, which establishes the office of the Director of state docks, so as to establish the qualifications of the office and to provide that the Director's salary shall be fixed by the Governor, at any reasonable amount not to exceed by $5,000.00 the highest authorized salary for employees of the department in the classified service of the state.

Also:

H. 934. To amend Section 19-3-120, Code of Alabama 1975, which provides for the classes of authorized investments, in which trustees, executors, administrators and other fiduciaries may invest, so as to include the African Development Bank within such classes of investments.

Also:

H. 935. To amend Section 27-41-14, Code of Alabama 1975, which provides for investments of life, disability and burial insurance companies, so as to allow said companies to invest in the African Development Bank.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 588. To amend sections 2-8-126 and 2-8-135, Code of Alabama 1975, relating to referendums authorizing an assessment of certain producers for the promotion of nuts, bulbs, fruits and vegetables; so as to authorize the holding of intermediary referendums to alter or modify the terms of an existing assessment and to further provide for the notice of referendums.

Also:

H. 821. To provide additional funding for domestic violence shelters by amending Sections 30-6-6 and 30-6-11 Code of Alabama 1975, as last

amended, to increase the limitation on the maximum available to each domestic violence facility, and re-designate the following subsection as subsection (e); to increase the additional fee for marriage licenses provided for therein by $10.00, from $5.00 to $15.00; and to remove language in Section 30-6-11 in which refers to a time period which has already passed.

Also:

H. 876. To amend Code of Alabama 1975, §12-15-65 to provide that an out of court statement made by a child under the age of twelve describing acts of sexual conduct performed on or with the child by another shall be admissible in dependency hearings if the court finds that the statement is sufficiently reliable; to provide that such statement may not be admitted unless the proponent of the statement gives advance notice of the details of the statement and of his intention to offer the statement, so that the adverse party may have a fair opportunity to rebut the statement; to provide the conduct to which this act applies; to provide for severability; and to provide an effective date.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 471. To provide for confidential communications insofar as criminal proceedings are concerned, between victims and victim counselors disclosed during the course of treatment for any emotional or psychological effects of a sexual assault or family violence.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 433. CREATING AN INTERIM LEGISLATIVE COMMITTEE TO STUDY THE PROCEDURES USED BY THE ADMINISTRATIVE OFFICE OF COURTS IN APPROVING OR DISAPPROVING THE ESTABLISHMENT OF NEW JUDGESHIPS AND NEW JUDICIAL CIRCUITS.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 10. To prohibit the display in public of any obscene bumper sticker, sign or writing; and to provide penalties for violations.

Also:

H. 74. To define certain school records as "governmental records" and to include school systems and certain institutions in the definition of government so as to make it illegal to knowingly falsify certain school records.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 225. To amend the Alabama Hazardous Waste Management Act of 1978, as amended, to clarify that the Alabama Department of Environmental Management ("the Department") administers the hazardous waste management program, to correct certain errors, to clarify certain authorities and to enact certain changes made to the federal Resource Conservation and Recovery Act of 1976 ("RCRA"), as amended, which changes are necessary to receive authorization to operate certain portions of the hazardous waste management program in lieu of the federal program and to repeal Code of Alabama 1975, §22-30-13 the provisions of which are made a part of §22-30-14 and Code of Alabama 1975, §22-30-8. This bill clarifies the intent of the act; clarifies the authority of the Department to list certain wastes as hazardous wastes, clarifies permitting procedures, clarifies the responsibilities of generators, transporters and owners and operators of treatment, storage and disposal facilities; corrects wording errors; and eliminates unnecessary provisions.

McDOWELL LEE,
Secretary.

CALL FOR PRESENCE OF A QUORUM

The call offered by Rep. Freeman for the Presence of a quorum was lost.

Yeas 16; Nays 34.

Yeas:

Reps. Black, Brooks, Buskey (JL), Crow, Freeman, Grayson, Junkins, Lindsey, McClain, McDowell, Moon, Newman, Reed, Rogers, Spratt and Williams.

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Nays:

Mr. Speaker, Biddle, Blakeney, Box, Burke, Carothers, Curry, Davis, Faulk, Flowers, Grouby, Harvey, Higginbotham, Hooper, Johnson (RG), Knight, Kvalheim, Laird, Layson, Mathis, McMillan, Parker, Payne, Petelos, Poole, Richardson, Seibels, Slaughter, Turnham, Walker, Warren, White (F), White (G) and Zoghby.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 697. To amend Section 16-13-184, Code of Alabama 1975, which relates to the conduct of elections, so as to provide further for the voting hours for county elections regarding school taxes.

Also:

H. 719. To authorize the establishment of "enterprise zones," pursuant to state tax and other incentives in order to promote job creation and economic development; to provide for the duties and authority of the Alabama Department of Economic and Community Affairs, the Alabama Department of Industrial Relations, the Alabama Development Office, the Department of Revenue, and the local governing bodies; to provide the requirements for participation; to provide for state and local tax and nontax incentives; and to provide with respect to financing, for financial assistance to municipalities and individuals and businesses under any act of the Congress of the United States heretofore or hereafter enacted.

Also:

H. 735. To amend section 11-81-11 of the Code of Alabama 1975, as heretofore amended, to permit the sale of bonds issued under the authority of Chapter 81 of Title 11 of the Code of Alabama 1975, as amended, to be

sold at public or private sale as the governing body of the municipality or county may determine.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 506. Relating to the practice of veterinary medicine and surgery in Alabama; amending the title and Sections 2, 4, 5, 6, 12, 14, 16 and 29 of the Alabama Veterinary Practice Act, Act No. 86-500, S. 121, Regular Session 1986, approved April 30, 1986 (such sections now appearing in the 1986 Cumulative Supplement to the Code of Alabama 1975 as Sections 34-29-61, 34-29-63, 34-29-64, 34-29-65, 34-29-71, 34-29-73, 34-29-75 and 34-29-88, respectively), so as to change the name of the board; and to provide further for the practice and licensure of such veterinary medicine and surgery.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 114. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1985 Second Special Session and the 1986 Regular Session of the Legislature, as contained in the 1986 Cumulative Supplement to certain volumes of the Code and in the 1986 replacement volumes 11, 15 and 16 of the Code, and to make certain corrections in Volume 21 of such cummulative supplement; and to adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1986 First Special Session of the Legislature, as contained in the 1987 Interim Supplement to the Code of Alabama 1975, and to make a certain correction in such interim supplement.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 667. To establish the Alabama Athlete Agents Regulatory Commission; to provide for membership, terms, and duties to require agents for athletes to register and be licensed in this state; to provide for revocation of registration; to provide for filing and registration fees; to require agents to post surety bonds; to provide for disposition of the proceeds from registrations and fines; to provide for the contents and approval of contracts; to prohibit certain activities; to provide further for actions against agents; to provide for an appellate procedure from decisions of the commission; to provide for a procedure for arbitration; and to provide for penalties for violations.

McDOWELL LEE,
Secretary.

S. 84 AGAIN TAKEN UP

SUBSTITUTE OFFERED

Rep. Turnham offered the following substitute to the bill, S. 84 as amended:

A BILL
TO BE ENTITLED
AN ACT

To amend Code of Alabama 1975, §20-2-93, relating to seizure and forfeiture of property in controlled substances cases.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be entitled "The Drug Profits Forfeiture Act of 1987."

Section 2. Code of Alabama 1975, §20-2-93 is hereby amended to read as follows:

"§20-2-93.

"(a) The following are subject to forfeiture:

"(1) All controlled substances which have been grown, manufactured, distributed, dispensed or acquired in violation of ~~this chapter;~~ any law of this State;

"(2) All raw materials, products and equipment of any kind which are used or intended for use in manufacturing, cultivating, growing, compounding, processing, delivering, importing or exporting and controlled substance in violation of ~~this chapter;~~ any law of this state;

"(3) All property which is used or intended for use as a container for property described in subdivisions (1) or (2) of this subsection;

~~"(4) Lawful currency (money) of the United States of America seized:~~

~~"a. On or within any conveyance, including aircraft, vehicles or vessels, when the same are being used or intended for use to transport or in any~~

~~manner to facilitate the transportation for the purpose of sale or receipt of property described in subdivisions (1) or (2) of this subsection;~~

~~"b. On the person of any human being found in the act of selling or receiving, or attempting to sell or receive, property described in subdivisions (1) or (2) of this subsection;~~

~~"c. Inside the room, closet, hallway, passageway or other intermediate immediate area of any buidling of any type whatsoever, wherein any human being is found in the act of selling or receiving, or attempting to sell or receive, property described in subdivisions (1) or (2) of this subsection;~~

~~"d. Inside any piece of baggage, bag, package or container within the intermediate immediate proximity of any human being found in the act of selling or receiving, or attempting to sell or receive, any property described in subdivisions (1) or (2) of this subsection; provided, however, that:~~

~~"1. No lawful currency (money) of the United States of America shall be condemned and forfeited, wherever seized, except by an affirmative finding by the trier of fact, either the court or jury as the case might be, to the following interrogatory "The (court) (jury) is reasonably satisfied from the evidence and inferences attendant thereto that the money in issue was used, or intended for use, in a transaction which would be a violation of the Alabama Controlled Substances Act.~~

"(4) All moneys, funds, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance in violation of this act; all proceeds traceable to such an exchange; and all moneys, funds, negotiable instruments, securities, and other things of value used or intended to be used to facilitate any violation of any law of this State concerning controlled substances;

"(5) All conveyances, including aircraft, vehicles, or vessels, or agricultural machinery, ~~which are used or intended for use to transport or in any manner to facilitate the transportation for the purpose of sale or receipt of~~ with which or from which a person or persons sells, furnishes, gives away, manufactures, cultivates, grows, transports, facilitates the transportation thereof, delivers, or distributes any property described in subdivisions (1) or (2) of this subsection; ~~provided, however, that:~~

~~"a. No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this chapter;~~

~~"b. No conveyance is subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without his knowledge or consent; and~~

~~"c. A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if he neither had knowledge of nor consented to the act or emission;~~

"(6) All books, records and research products and materials, including formulas, microfilm, tapes and data, which are used or intended for use in violation of ~~this chapter;~~ any law of this State concerning controlled substances;

"(7) All imitation controlled substances as defined ~~by article 7 of this chapter."~~ under the laws of this State.

"(8) All real property or fixtures used or intended to be used for the manufacture, cultivation, growth, receipt. storage, handling, distribution, or sale of any controlled substance in violation of any law of this State;

"(b) Property subject to forfeiture under this chapter may be seized by state, county or municipal law enforcement agencies upon process issued by any court having jurisdiction over the property. Seizure without process may be made if:

"(1) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

"(2) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this chapter;

"(3) The state, county or municipal law enforcement agency has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or

"(4) The state, county or municipal law enforcement agency has probable cause to believe that the property was used or is intended to be used in violation of this chapter.

"(c) In the event of seizure pursuant to subsection (b) of this section, proceedings under subsection (d) of this section shall be instituted promptly.

"(d) Property taken or detained under this section shall not be subject to replevin but is deemed to be in the custody of the state, county or municipal law enforcement agency subject only to the orders and judgment of the court having jurisdiction over the forfeiture proceedings. When property is seized under this chapter, the state, county or municipal law enforcement agency may:

"(1) Place the property under seal;

"(2) Remove the property to a place designated by it;

"(3) Require the state, county or municipal law enforcement agency to take custody of the property and remove it to an appropriate location for disposition in accordance with law.; and

"(4) In the case of real property or fixtures, post notice of the seizure on the property, and file and record notice of the seizure in the probate office.

"(e) When property is forfeited under this chapter the state, county or municipal law enforcement agency may:

"(1) Retain it for official use; except for lawful currency (money) of the United States of America which shall be disposed of ~~as provided in subdivisions (1) and (3) of subsection (d), and subdivision (2) of this subsection~~ in the same manner provided for the disposal of proceeds from a sale in subsection (e)(2) of this section;

"(2) Sell that which is not required to be destroyed by law and which is not harmful to the public. The proceeds from the sale authorized by this subsection shall be used, first, for payment of all proper expenses of the proceedings for forfeiture and sale, including expenses of seizure, maintenance of or custody, advertising and court costs; and the remaining proceeds from such sale shall be awarded and distributed by the court to the municipal,

and/or county, and/or state general fund, whose law enforcement agencies or departments are determined by the court to have been a participant in the investigation resulting in the seizure, and such award and distribution shall be made on the basis of the percentage as determined by the court, which the respective agency or department contributed to the police work resulting in the seizure.

"(3) Require the state, county or municipal law enforcement agency to take custody of the property and remove it for disposition in accordance with law.

"(f) Controlled substances listed in schedule I that are possessed, transferred, sold or offered for sale in violation of ~~this chapter~~ any law of this State are contraband and shall be seized and summarily forfeited to the state. Controlled substances listed in schedule I which are seized or come into the possession of the state, the owners of which are unknown, are contraband and shall be summarily forfeited to the state.

"(g) Sepcies of plants from which controlled substances in schedules I and II may be derived which have been planted or cultivated in violation of ~~this chapter~~ any law of this State or of which the owners or cultivators are unknown or which are wild growths may be seized and summarily forfeited to the state."

"(h) An owner's or bona fide lienholder's interest in real property or fixtures shall not be forfeited under this section for any act or omission unless the State proves that that act or omission was committed or omitted with the knowledge or consent of that owner or lienholder. An owner's or bona fide lienholder's interest in any type of property other than real property and fixtures shall be forfeited under this section unless the owner or bona fide lienholder proves both that the act or omission subjecting the property to forfeiture was committed or omitted without the owner's or lienholder's knowledge or consent and that the owner or lienholder could not have obtained by the exercise of reasonable diligence knowledge of the intended illegal use of the property so as to have prevented such use. The procedures for the condemnation and forfeiture of property other than real property and fixtures seized under this act shall be governed by and shall conform to Code of Alabama 1975, §§28-4-286 and 28-4-290, as heretofore and hereafter construed by the courts of this state."

Section 3. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, that declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

MOTION IN WRITING

Rep. Turnham filed the following Motion in Writing:

Mr. Speaker:

I move that S. B. 84 be carried over until the thirtieth legislative day at 11:30 o'clock a.m. at which time votes will be taken.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Laird, Budget Isolation Resolution relating to S. B. 565, was adopted.

Yeas 47; Nays 1.

Yeas:

Mr. Speaker, Beasley, Biddle, Blake, Blakeney, Box, Brooks, Buskey (JL), Carothers, Cosby, Crow, Curry, Davis, Faulk, Freeman, Grayson, Grouby, Hall, Haynes, Higginbotham, Holley, Holmes, Hooper, Johnson (RG), Knight, Kvalheim, Laird, Marks, Mathis, McClain, McKee, Moon, Newman, Parker, Payne, Petelos, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Walker, Williams, Wright and Zoghby.

—47

Nay: Rep. McDowell. —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 565. To provide an appropriation of funds which are available to the Division of Employment Security of the Alabama Department of Industrial Relations out of funds credited to this State's account in the Unemployment Trust Fund by the Secretary of the Treasury of the United States of America pursuant to Section 903 of the Social Security Act, as amended, for the purpose of purchasing land, buildings and/or providing funds for the administration of the unemployment compensation and employment service programs as the director shall determine to be in the best interest of the State, and the total cost of which does not exceed the amount of this appropriation. Such funds are to be expended exclusively for the programs administered by the Division of Employment Security of the Department of Industrial Relations of the State of Alabama.

Was read a third time at length and passed.

Yeas 51; Nays 1.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Blake, Blakeney, Box, Brooks, Burke, Buskey (JL), Butler, Carothers, Cosby, Crow, Curry, Davis, Faulk, Freeman, Grayson, Hall, Harvey, Haynes, Higginbotham, Holley, Holmes, Hooper, Johnson (RG), Junkins, Knight, Kvalheim, Laird, Marks, Mathis, McClain, McKee, Moon, Newman, Parker, Payne, Petelos, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Walker, White (G), Williams and Zoghby.

—51

Nay: Rep. McDowell. —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 297. To amend Section 40-18-19, Code of Alabama 1975, to provide for the exemption of retirement pay for firemen from state and local income taxes the same as retirement pay of school teachers, state employees, civil service retirees and peace officers.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 502. Relating to the age of majority; to provide that for purposes of contracting for educational loans for college level and above, the age of majority shall be seventeen years of age.

McDOWELL LEE,
Secretary.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION TEMPORARILY POSTPONED

On motion of Rep. Butler, the Budget Isolation Resolution relating to the bill, S. 155, was temporarily postponed.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Payne, Budget Isolation Resolution relating to S. B. 499, was adopted.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Blakeney, Box, Brooks, Buskey (JL), Carothers, Crow, Curry, Davis, Faulk, Freeman, Grayson, Grouby, Hall, Haynes, Hettinger Higginbotham, Holley, Hooper, Johnson (RG), Junkins, Knight, Kvalheim, Laird, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Thomas, Turnham, Walker, Warren, White (F), White (G), Williams, Wright and Zoghby.

—55

And the bill:

S. 499. To provide badges to survivors of peace officers killed in the line of duty and to provide retirement badges to officers disabled in line of duty.

Was read a third time at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Blakeney, Box, Brooks, Buskey (JE), Buskey (JL), Carothers, Crow, Curry, Davis, Faulk, Freeman, Grayson, Grouby, Hall, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Kvalheim, Laird, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Thomas, Turnham, Walker, Warren, White (F), White (G), Williams, Wright and Zoghby.

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BUDGET ISOLATION RESOLUTION

On motion of Rep. Seibels, Budget Isolation Resolution relating to S. B. 55, was adopted.

Yeas 44; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Black, Blakeney, Box, Brooks, Buskey (JL), Carothers, Curry, Davis, Freeman, Grayson, Grouby, Hall, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RG), Junkins, Knight, Laird, Layson, Lindsey, Mathis, McClain, McDowell, McKee, McMillan, Payne, Petelos, Richardson, Rogers, Seibels, Slaughter, Spratt, Walker, Warren, White (G), Williams and Wright.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 55. (With Substitute): To establish an Alabama Men's Hall of Fame; prescribes its purposes and membership; and provides for election of members and officers and for holding of meetings.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on State Administration, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To establish an Alabama Men's Hall of Fame; prescribes its purposes and membership; and provides for election of members and officers and for holding of meetings.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There shall be created and established as herein provided a board to be designated and known as the Alabama Men's Hall of Fame. The board shall be composed of 19 members: five of whom shall be members of the Women's Committee of 100 for Birmingham; two (2) members shall be appointed by the governor from each of the United States Congressional Districts, except District Number 6, as such districts are presently established, for a total of twelve (12) members appointed from said districts; and the Governor and the Director of the Department of Archives and History who shall serve as voting members of the board. The initial members of the board of directors of the Hall shall be appointed by the Governor of the State of Alabama. The board shall meet semiannually and at such other times as its rules and bylaws may prescribe. A quorum for all meetings shall be a majority of those present and voting.

The newly created board of director's membership shall serve for three years. After this initial period of organization, a rotation policy for members of the board shall go into effect and each member shall serve one, two, or three years in addition to the three-year minimum period. Five members shall rotate off the board in 1989, five more in 1990, and four more in 1991 unless a member should be reappointed to the board for an additional three-year term. Members appointed to fill vacancies shall serve for a term of three years on the board of directors.

The perpetuation of the board shall result from choices made by the board to fill all vacancies as they occur because of rotation, resignation, or incapacitation. The board shall have full and final right of choosing succeeding members.

The chairman of the board of directors shall be elected annually by the board of directors, and may not serve more than two consecutive years.

The chairman of the board shall appoint a secretary.

Section 2. The location of the Hall shall be in the Library Building, Samford University, Birmingham, Alabama. All items pertaining to the Hall shall be housed at the same location.

Section 3. The purpose of the Alabama Men's Hall of Fame shall be to recognize those men native to or identified most closely with the State of Alabama who have made significant contributions on a state, national, or international scale within their professional or personal fields of activity and concern. The number of persons chosen to be installed at each noted period shall not exceed the following:

(a) The first selection meeting of the board of directors shall choose not more than five persons, who must be deceased for a minimum of two years.

(b) Once every year after the first selection meeting, the board may choose not more than three new members of the Hall. These new members must be deceased, for a minimum of two years, at the time of their selection.

Section 4. The board may solicit and accept donations, contributions and gifts of money and property, and all gifts made to the board shall be exempt from taxation in Alabama. All property, money, income, resources and activities of the board shall likewise be exempt from taxation.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 49; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Black, Blakeney, Brooks, Buskey (JL), Carothers, Curry, Davis, Faulk, Freeman, Grayson, Grouby, Hall, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Kvalheim, Laird, Layson, Lindsey, Mathis, McClain, McDowell, McKee, McMillan, Newman, Payne, Petelos, Poole, Reed, Richardson, Rogers, Slaughter, Turnham, Walker, Warren, White (G), Williams and Wright.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 55, as thus amended, was read a third time at length and passed.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Black, Blake, Blakeney, Brooks, Buskey (JL), Carothers, Cosby, Crow, Curry, Davis, Faulk, Freeman, Grayson, Grouby, Hall, Haynes, Hettinger, Higginbotham, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Kvalheim, Laird, Layson, Lindsey, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Payne, Petelos, Poole, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Turnham, Walker, Warren, White (G), Williams and Wright.

—55

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:35 A.M. on July 17, 1987.

H. 1006

H. J. R. 474

Delivered to the Governor at 2:05 P.M. on July 17, 1987.

H. 288

H. 325

H. 371

H. 542

H. 837

H. 840

H. J. R. 311

H. J. R. 438

Delivered to the Secretary of State at 3:04 P.M. on July 17, 1987.

H. 958 (CONSTITUTIONAL AMENDMENT)

Delivered to the Governor at 3:10 P.M. on July 17, 1987.

H. 209 (EXECUTIVE AMENDMENT)

H. 541

H. 570

H. 796

H. 861

H. 1066

Delivered to the Governor at 6:00 P.M. on July 17, 1987.

H. 143

H. 251

H. J. R. 99

H. J. R. 119

H. J. R. 207

H. J. R. 359

H. 211

H. 217

H. 577

H. 584

H. 338

H. 367

H. 483

H. 628

H. 845

Delivered to the Governor at 8:20 P.M. on July 17, 1987.

H. 189

H. 565

H. 602

H. 782

H. 84

H. 124

H. 321

Delivered to the Governor at 9:40 P.M. on July 17, 1987.

H. 86

H. 207

H. 386

H. 401

H. 576

H. 599

H. 650

H. 815

H. 904

H. 706

Delivered to the Secretary of State at 9:50 P.M. on July 17, 1987.

H. 814 (CONSTITUTIONAL AMENDMENT)

Delivered to the Governor at 11:25 P.M. on July 17, 1987.

H. 126

H. 223

H. 233

H. 250

H. 792

H. 802

H. 934

H. 935

H. 588

H. 821

H. 876

H. 471

Delivered to the Governor at 11:50 P.M. on July 17, 1987.

H. 697

H. 719

H. 735

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Cosby and pursuant to the resolution, H. R. 479, heretofore adopted, the House adjourned until 10:00 o'clock a.m., August 3, 1987.

THIRTIETH DAY

House of Representatives
Montgomery, Alabama
Monday, August 3, 1987

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Al Millergren, Pastor, Dalraida Church of Christ, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Spencer Davidson.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-ninth legislative day and finds the same to be correct.

TOMMY CARTER,
Chairman.

On motion of Rep. Carter, the reading at length of the Journal of the House for the twenty-ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-ninth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Sanders:

S. J. R. 157. REQUESTING THE STATE DEPARTMENT OF EDUCATION TO CONDUCT A SURVEY.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (RW), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 157, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 10. To prohibit the display in public of any obscene bumper sticker, sign or writing; and to provide penalties for violations.

Also:

H. 74. To define certain school records as "governmental records" and to include school systems and certain institutions in the definition of government so as to make it illegal to knowingly falsify certain school records.

Also:

H. 225. To amend the Alabama Hazardous Waste Management Act of 1978, as amended, to clarify that the Alabama Department of Environmental Management ("the Department") administers the hazardous waste management program, to correct certain errors, to clarify certain authorities and to

enact certain changes made to the federal Resource Conservation and Recovery Act of 1976 ("RCRA"), as amended, which changes are necessary to receive authorization to operate certain portions of the hazardous waste management program in lieu of the federal program and to repeal Code of Alabama 1975, §22-30-13 the provisions of which are made a part of §22-30-14 and Code of Alabama 1975, §22-30-8. This bill clarifies the intent of the act; clarifies the authority of the Department to list certain wastes as hazardous wastes, clarifies permitting procedures, clarifies the responsibilities of generators, transporters and owners and operators of treatment, storage and disposal facilities; corrects wording errors; and eliminates unnecessary provisions.

Also:

H. 286. To provide further for the sale or proper disposal of certain historical property used in legislative chambers; to authorize the historical commission to set a standard rate for certain restored period legislative desks and for the legislative chairs used in the Alabama Legislature; to authorize the secretary of the senate and the clerk of the house to dispose of certain such desks and chairs at such standard rate, or to otherwise make disposal thereof; and to provide for the distribution of net revenues.

Also:

H. B. 510. To establish "County Oil and Gas Severance Tax Trust Funds" in the counties of the state with revenue derived from certain local county severance taxes on producers of oil and gas and other hydrocarbons, plus certain income or interest; to regulate and provide for the administration of the expenditures of such trust funds by counties in the state in which such taxes are now or may hereafter be levied; to provide for the maximum funding of such trust funds; to specifically repeal, following the full funding of such trust fund established with respect to Baldwin County, Act No. 2120, H. 2450, Regular Session 1971 (Acts 1971, Vol. V, p. 3399), as amended, relating to Baldwin County privilege tax on persons engaged in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters and to provide for the repeal of other similar taxes that may be hereafter levied for counties; to specifically provide that this bill shall not be construed to repeal that part of Title 40, Code of Alabama 1975, as amended, which provides for the levy of certain taxes upon the production or severing oil or gas from the soil or waters of the state; and to provide for non-severability construction and an effective date.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. B. 141. To authorize local boards of education in any combination of 25 or more to jointly purchase insurance or to establish self-funded insurance programs for the purpose of providing risk management alternatives for the boards of education; establishes requirements of reporting; and exempts such entities from payment of certain taxes.

And finds same correctly enrolled with Executive Amendment.

TOMMY CARTER,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 265. AMENDING SENATE JOINT RESOLUTION 18 OF THE ORGANIZATIONAL SESSION 1987 (ACT 87-19) THAT CREATED AN INTERIM COMMITTEE ON FINANCES AND BUDGETS TO ALLOW THE APPOINTMENT OF SUB-COMMITTEES.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Gaston, the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 265, said Senate amendment being as follows:

For the purpose of correcting typographical and grammatical errors, H. J. R. 265 is amended as follows:

Page 1, line 35, delete the word "committe" and properly spell it "committee"

Page 2, line 34 delete the "s" on the word "members"

Amend House Joint Resolution 265 Page 1 Line 23, by striking out "provided further, the co-chairman and vice-chairman and deputy vice-chairman shall be entitled to, and shall receive the same daily legislative

compensation, expense allowance, per diem and other compensation which they receive while in legislative session."

Amend H. J. R. 265 Page 2 Line 24, by striking out the entire sentence after the word "sub-committee" and insert in lieu thereof "The Secretary of the Senate, the Clerk of the House of Representatives and or the Director of the Legislative Fiscal Office shall provide the committee with such clerical and expert assistance from among their respective staffs as may be necessary."

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to wit:

H. 114. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1985 Second Special Session and the 1986 Regular Session of the Legislature, as contained in the 1986 Cumulative Supplement to certain volumes of the Code and in the 1986 replacement volumes 11, 15 and 16 of the Code, and to make certain corrections in Volume 21 of such cumulative supplement; and to adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1986 First Special Session of the Legislature, as contained in the 1987 Interim Supplement to the Code of Alabama 1975, and to make a certain correction in such interim supplement.

Also:

H. 297. To amend Section 40-18-19, Code of Alabama 1975, to provide for the exemption of retirement pay for firemen from state and local income taxes the same as retirement pay of school teachers, state employees, civil service retirees and peace officers.

Also:

H. 502. Relating to the age of majority; to provide that for purposes of contracting for educational loans for college level and above, the age of majority shall be seventeen years of age.

Also:

H. 506. Relating to the practice of veterinary medicine and surgery in Alabama; amending the title and Sections 2, 4, 5, 6, 12, 14, 16 and 29 of the Alabama Veterinary Practice Act, Act No. 86-500, S. 121, Regular Session 1986, approved April 30, 1986 (such sections now appearing in the 1986 Cumulative Supplement to the Code of Alabama 1975 as Sections 34-29-61, 34-29-63, 34-29-64, 34-29-65, 34-29-71, 34-29-73, 34-29-75 and 34-29-88, respectively), so as to change the name of the board; and to provide further for the practice and licensure of such veterinary medicine and surgery.

Also:

H. 667. To establish the Alabama Athlete Agents Regulatory Commission; to provide for membership, terms, and duties to require agents for athletes to register and be licensed in this state; to provide for revocation of registration; to provide for filing and registration fees; to require agents

to post surety bonds; to provide for disposition of the proceeds from registrations and fines; to provide for the contents and approval of contracts; to prohibit certain activities; to provide further for actions against agents; to provide for an appellate procedure from decisions of the commission; to provide for a procedure for arbitration; and to provide for penalties for violations.

Also:

H. J. R. 433. CREATING AN INTERIM LEGISLATIVE COMMITTEE TO STUDY THE PROCEDURES USED BY THE ADMINITRATIVE OFFICE OF COURTS IN APPROVING OR DISAPPROVING THE ESTABLISHMENT OF NEW JUDGESHIPS AND NEW JUDICIAL CIRCUITS.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 417. COMMENDING SCOTT PAPER COMPANY AND ITS LEADERSHIP FOR OUTSTANDING COMMUNITY CONTRIBUTIONS AND INVOLVEMENT.

Also:

H. J. R. 418. COMMENDING CALVIN WOOTEN OF ANNISTON, ALABAMA, RECIPIENT OF THE 1987 AMBASSADOR AWARD.

Also:

H. J. R. 420. HONORING THE LATE PAUL C. DAVIS OF ATHENS, ALABAMA, AND EXPRESSING SPECIAL APPRECIATION IN HIS BEHALF TO HIS WIFE, MRS. RACHEL DAVIS.

Also:

H. J. R. 421. MOURNING THE DEATH OF BILLIE CARLTON HUDSON OF BLOUNTSVILLE, ALABAMA.

Also:

H. J. R. 422. RECOGNIZING THE SERVICE CORPS OF RETIRED EXECUTIVES FOR OUTSTANDING CONTRIBUTIONS TO ALABAMA'S SMALL BUSINESSES.

Also:

H. J. R. 424. COMMENDING DEREK B. GRANGER, MILLBROOK, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 435. COMMENDING THE ROBERT WESLEY AND EDNA WHITE PITTS FAMILY.

Also:

H. J. R. 436. COMMENDING THE AARON AND MAMIE FRANKLIN FAMILY.

Also:

H. J. R. 439. MOURNING THE DEATH OF ROBERT DAVID ROLLINS OF MONTGOMERY, ALABAMA.

Also:

H. J. R. 441. COMMENDING SHAREE DELLYNNE KEMP OF DORA, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY SERVICE.

Also:

H. J. R. 446. COMMENDING THE HISTORIC BYRD SCHOOL ODYSSEY OF THE MIND TEAM.

Also:

H. J. R. 447. COMMENDING THE MEADOWVIEW/EAST END ODYSSEY OF THE MIND TEAM.

Also:

H. J. R. 459. COMMENDING TONYA HELM OF CENTER POINT, ALABAMA, AS ONE OF OUR STATE'S MOST ACCOMPLISHED HIGH SCHOOL ATHLETES.

Also:

H. J. R. 460. RECOGNIZING WITH COMMENDATION, THE 100TH ANNIVERSARY OF THE BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES.

Also:

H. J. R. 461. HONORING THE 276TH ENGINEER COMBAT BATTALION FOR MERITORIOUS SERVICE TO OUR NATION.

Also:

H. J. R. 462. MOURNING THE DEATH OF HOYT DONALD NEWSOME OF SYLVANIA, ALABAMA.

Also:

H. J. R. 466. COMMENDING DEWEY DRAIN FOR DISTINGUISHED SERVICE TO THE PUBLIC SCHOOLS AND TO THE MARSHALL COUNTY BOARD OF EDUCATION.

Also:

H. J. R. 467. COMMENDING THE HONORABLE IRVING J. STOLBERG OF CONNECTICUT.

Also:

H. J. R. 468. COMMENDING RONNIE COTTRELL, FOOTBALL COACH OF FLOMATON HIGH SCHOOL, ON HIS OUTSTANDING COACHING CAREER.

Also:

H. J. R. 469. EXPRESSING LEGISLATIVE INTENT AND PUBLIC POLICY WITH RESPECT TO FEDERAL AND STATE CONTROLS ON THE ATTAINMENT OF OZONE AIR QUALITY STANDARDS.

Also:

H. J. R. 476. COMMENDING THE OFFICERS OF THE ALABAMA DIVISION, UNITED DAUGHTERS OF THE CONFEDERACY.

Also:

H. J. R. 481. COMMENDING THE VOLUNTEER AUXILIARY OF THE UNIVERSITY OF ALABAMA HOSPITAL AT BIRMINGHAM.

Also:

H. J. R. 484. MOURNING THE DEATH OF EUEL HOWARD GENTRY OF TALLADEGA, ALABAMA.

Also:

H. J. R. 423. COMMENDING CONSUELLO HARPER OF MONTGOMERY, ALABAMA.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RULE SUSPENDED

On motion of Rep. Gray, Rule 6(1) was suspended to accept the bill, H. 240 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 240. To amend §13A-6-3 of the Code of Alabama, 1975, to provide that manslaughter is a Class B felony.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Gray, the House concurred in and adopted the Senate amendment to the bill, H. 240, said Senate amendment being as follows:

Amend H. B. 240, Page 2, Line 6, by adding the following Section:

"Section 4. Applicability. This Act applies to conduct occurring after the effective date. Conduct occurring before the effective date of this Act shall be governed by pre-existing law."

Yeas 47; Nays 0.

Yeas:

Mr. Speaker, Beers, Black, Box, Breedlove, Brooks, Bryant, Crow, Curry, Davis, Dillard, Freeman, Fuller, Gaston, Gray, Grouby, Hall, Hamilton, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Kennedy, Knight, Laird, Lindsey, Logan, Marks, McClain, McDowell, McMillan, Mikell, Moon, Newman, Parker, Petelos, Reed, Richardson, Seibels, Slaughter, Spratt, White (G), White (L), Wright and Zoghby.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Clark (J):

H. R. 489. RECOGNIZING WITH COMMENDATION THE SESQUICENTENNIAL OBSERVANCE OF FIRST BAPTIST CHURCH OF EUFAULA, ALABAMA.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 477. To create the Alabama Manufactured Housing Commission Recovery Fund; to insure that purchasers of manufactured homes have a forum for addressing complaints regarding said homes; to create a fund to compensate said purchasers if their complaints are not remedied; and to provide that consumer complaints regarding manufactured houses shall be heard by the Alabama Manufactured Housing Commission, an independent

state agency, in accordance with the terms of the Alabama Administrative Procedure Act.

Also:

S. 478. To amend Sections 24-6-3 and 24-6-4, Code of Alabama 1975, so as to further provide for the duties, functions administration and remuneration of the Alabama Manufactured Housing Commission; and to provide that no commissioner shall be liable for damages resulting from any act performed in carrying out his duties as a commissioner.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Reps. Seibels, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Poole, Rains, Reed, Richardson, Rogers, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 490. CONGRATULATING TONY AND TERESA PETELOS OF BIRMINGHAM ON THE BIRTH OF THEIR DAUGHTER, ANGELA MICHELLE.

WHEREAS, with great personal pleasure, the Alabama Legislature extends congratulations to our friend and colleague, State Representative Tony Petelos, and to his lovely wife, Teresa, on the birth of their daughter, Angela Michelle, July 27, 1987; and

WHEREAS, little Angela Michelle, who weighed seven pounds, three ounces at birth, was born at 5:57 p.m. and, as a Monday child and "fair of face," she is indeed as pretty as her mother; and

WHEREAS, with the birth of their first child, Tony and Teresa Petelos are now experiencing the unbounded joy of parenthood, and it is with warm and sincere affection that we wish every happiness in life for the Petelos family; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby congratulate Tony and Teresa Petelos of Birmingham, Alabama, on the birth of their daughter, Angela Michelle, and direct that they receive a copy of this resolution, tendered in friendship and in highest personal regard.

BE IT FURTHER RESOLVED, That a copy of this resolution also be provided for little Angela Michelle Petelos that she may later know of the happiness we shared with her parents on the occasion of her birth.

On motion of Rep. Seibels, the rules were suspended and the resolution, H. J. R. 490, was adopted.

Also:

By Reps. Seibels and White (F):

H. J. R. 491. DESIGNATING ENGLISH AS THE OFFICIAL LANGUAGE OF THE STATE OF ALABAMA.

WHEREAS, the United States has attained hope, strength and preeminence in world affairs through the unified effort of its diversified peoples; and

WHEREAS, continued and lasting unification of our diversified peoples by one language, spoken, written and understood by all citizens, offers the greatest promise of success for our country; and

WHEREAS, the reliance of a society on a single language facilitates the exchange of ideas, feelings, beliefs, and information and the full integration of all its members; and

WHEREAS, the English language is the basic language of commerce, education, and official business in Alabama; and

WHEREAS, it is fitting and proper that we recognize the role that the English language plays in the stability of the lives of the people of this state and nation; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the English language is hereby designated as the official language of the State of Alabama; all official proceedings, records and publications shall be in English; the common school branches, be they public, private, denominational or parochial, shall be taught in English and school boards shall have no obligation to teach the standard curriculum in a language other than English.

BE IT FURTHER RESOLVED, That all educators and public officials in Alabama are encouraged to fully support English as the official language of this state for the benefit of all citizens.

On motion of Rep. Seibels, the rules were suspended and the resolution, H. J. R. 491, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 662. Relating to the City of Oxford in Calhoun County; providing that the office of mayor shall be full-time.

Also:

S. 284. To further amend Sections 18 and 20 of an act designated as Act #248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for appointment of department heads from six qualified candidates unless the appointing authority shall request the three ranking eligibles only.

Also:

S. 58. Relating to Morgan County; authorizing the county to pay all its employees whose compensation is provided for by local act bi-weekly instead of semi-monthly and to repeal all provisions of all local acts which conflict with this act.

Also:

S. 419. Relating to DeKalb County; to provide for an optional system of Alabama business licenses purchasing by mail; to authorize an additional fee for mailing licenses; and to provide for the disposition of such fees.

Also:

S. 506. To amend Section 11-43-40, Code of Alabama 1975, relating to the composition of city councils in cities having a population of 12,000 or more presently operating with five single-member districts as established under a Federal Court Order, so as to provide for a procedure to establish a council of eight aldermen to be elected from districts and a council president to be elected at large.

Also:

S. 535. Relating to Greene County; to extend the privilege or license and excise and sales tax provisions of Act No. 77-487, H. 1226 of the 1977 Regular Session (Acts 1977, p. 636) without any action of the County Governing Body or a vote of the people.

Also:

S. 587. To create the Alabama Mothers and Babies Indigent Care Trust Fund; to create the Alabama Mothers and Babies Indigent Care Trust Fund Board to administer said fund; to provide for the said board's composition, powers, duties and authority; to provide for funding; to provide for the creation of the Alabama Mothers and Babies Indigent Care Trust Fund in the state treasury; and to provide that monies in said fund shall not revert to the general fund but shall be carried forward into each succeeding state fiscal year.

Also:

S. 499. To provide badges to survivors of peace officers killed in the line of duty and to provide retirement badges to officers disabled in line of duty.

Also:

S. 687. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the

Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

Also:

S. 448. Relating to Mobile County; to amend Act No. 544, S. 602, 1967 Regular Session, as amended, which provides for funds from the general fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, so as to provide further for said funding.

Also:

S. 658. Relating to Baldwin County; providing for a Planning and Zoning Commission for the unincorporated areas of the county; providing for the organization, membership, functions, authority and jurisdiction of such commission; prescribing procedures for establishing planning and zoning districts in certain unincorporated areas of the county; prescribing procedures for formulating and implementing district development plans; providing that each tract or parcel of property within a planning and zoning district shall be assessed a certain development privilege fee subject to certain limitations to finance the development functions of the county planning and zoning commission; providing appellate procedures for planning and zoning; prohibiting certain regulations adopted by the commission from being retroactive and providing that this act shall have supplemental effect.

Also:

S. 242. To authorize State Troopers to retire with twenty-five years service and to provide for the formula to be used in calculating retirement benefits.

Also:

S. 178. To amend Sections 16-25-11 and 36-27-11, Code of Alabama 1975, relating to the teachers' retirement system and the employees' retirement system, respectively, so as to provide further for the number of years of contributing membership service a member of such retirement systems shall complete before being allowed to restore previous creditable service with either such retirement system.

Also:

S. 565. To provide an appropriation of funds which are available to the Division of Employment Security of the Alabama Department of Industrial Relations out of funds credited to this State's account in the Unemployment Trust Fund by the Secretary of the Treasury of the United States of America pursuant to Section 903 of the Social Security Act, as amended, for the purpose of purchasing land, buildings and/or providing funds for the administration of the unemployment compensation and employment service programs as the director shall determine to be in the best interest of the State, and the total cost of which does not exceed the amount of this appropriation. Such funds are to be expended exclusively for the programs administered by the Division of Employment Security of the Department of Industrial Relations of the State of Alabama.

Also:

S. 289. To amend Sections 41-13-5 and 41-13-22 through 41-13-25, Code of Alabama 1975, relating to the management of certain public records so as to provide further for such management to include such records of municipalities; and to create a local government records commission in lieu of a county records commission and repeals Sections 11-47-150 through 11-47-155, Code of Alabama 1975.

Also:

S. 140. To make the illegal possession of food stamps a criminal offense, to define the degrees of such offense; to prescribe punishment; and to provide that any person convicted of such crime who is licensed under the Alcoholic Beverage Licensing Code shall have his license revoked in addition to criminal penalties.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolution was introduced:

By Reps. Ford, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 492. MOURNING THE DEATH OF COACH JIM GLOVER OF RAINBOW CITY, ALABAMA.

WHEREAS, it is with deep sadness and regret that the Alabama Legislature records the death of Coach Jim Glover of Rainbow City, Alabama, on July 26, 1987; and

WHEREAS, a native of Moundville, Alabama, and a veteran of World War II, Jim Glover was a longtime coach at Etowah High School where his teams won a phenomenal 213 games during his 31-season tenure, an overall record that would earn Coach Glover a place in the Alabama Sports Hall of Fame; and

WHEREAS, it is further to be noted that seven of Coach Glover's Blue Devil teams posted perfect season records and during one 50-game span, Etowah High lost only two games; and

WHEREAS, although Coach Glover retired in 1978, he returned to coach for the past two years at Coosa Christian School, which is operated by his church, and his 1986 team climaxed his career with a 12-0 season and the National Christian School championship; and

WHEREAS, widely and affectionately known as "Gentleman Jim," Coach Jim Glover was indeed a beloved member of the community and his loss is deeply felt by his family, former athletes and many, many friends; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Coach Jim Glover of Rainbow City, Alabama, and extend our very deepest sympathy to his beloved wife; their three sons; and to other family members, for whom a copy of this resolution shall be provided that they may know of our shared sorrow in their deep and grievous loss.

On motion of Rep. Ford, the rules were suspended and the resolution, H. J. R. 492, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Ford:

H. R. 493. MOURNING THE DEATH OF COACH JIM GLOVER OF RAINBOW CITY, ALABAMA.

Also:

The following resolution was introduced:

By Rep. Laird:

H. J. R. 494. CONGRATULATING FRANK SEGO OF MONTGOMERY, ALABAMA, ON HIS ELECTION AS PRESIDENT OF THE NATIONAL EXCHANGE CLUB.

WHEREAS, it is with great personal pleasure that the Alabama House of Representatives congratulates Frank Sego of Montgomery, Alabama, on his election as President of the National Exchange Club, the exalted position he is to assume September 1, 1987; and

WHEREAS, in previous service and commitment to the ideals and programs of Exchange, Mr. Sego has provided distinguished leadership as President of the Exchange Club of Montgomery, President of the State District Exchange Clubs, as a two-term member of the National Board of Directors, as National Vice President-East and as President-Elect; and

WHEREAS, Mr. Sego's dedication and labors have further been recognized through such distinctions as Most Outstanding Exchangite of his local club, Outstanding District Director in the Nation and Outstanding Alabama Exchangite, among others; and

WHEREAS, we further note that, over the years, many less fortunate people have reaped the benefits of his efforts through his leadership involvement as Chairman of the 2nd Congressional District Child Abuse and Neglect Board of Directors, President of Montgomery's Voluntary Action Center, as a member of the Board of Directors of the Montgomery Area Family Violence Center and with many other organizations of direct benefit to those in need; and

WHEREAS, Mr. Sego is Director of Public Affairs for the Alabama Forestry Commission, and he and his family are members of the First United Methodist Church of Montgomery; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That in recognition of outstanding achievement and contributions to community, state and nation, we hereby commend Frank Sego of Montgomery, Alabama, and do further direct that he receive a copy of this resolution of highest esteem.

On motion of Rep. Laird, the rules were suspended and the resolution, H. J. R. 494, was adopted.

Also:

The following resolutions were introduced and distributed according to Joint Rule 11:

By Rep. Laird:

H. R. 495. CONGRATULATING FRANK SEGO OF MONTGOMERY, ALABAMA, ON HIS ELECTION AS PRESIDENT OF THE NATIONAL EXCHANGE CLUB.

Also:

By Rep. Moon:

H. R. 496. COMMENDING THE UNION CHAPEL A'S GIRLS 15-AND-UNDER SOFTBALL TEAM.

Also:

The following resolution was introduced:

By Rep. Drake:

H. J. R. 497. CREATING A JOINT LEGISLATIVE INTERIM COMMITTEE TO STUDY THE CAUSES OF SHORTAGE OF OBSTETRICIANS IN ALABAMA.

WHEREAS, in recent years there has been a reduction in the number of physicians practicing obstetrics in this state; and

WHEREAS, this shortage of obstetricians is especially acute in the rural areas of the state; and

WHEREAS, many Alabama women and their families are not only greatly inconvenienced by this situation, but are actually in personal danger for their health and the health of their unborn children; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint legislative interim committee to study the causes of, and possible solutions

for, the shortage of obstetrical physicians in Alabama. The committee shall investigate all the problems and possible causes which lead to the shortage of obstetricians, shall inquire as to possible solutions from other states, and shall seek the input of the state's medical schools in the course of their study.

The committee shall be composed of eight (8) members as follows: four (4) members of the House of Representatives appointed by the Speaker of the House, and four (4) members of the Senate appointed by the Lieutenant Governor. The committee shall select a chairman from among its members, and shall meet upon the call of its chairman.

Members shall receive their regular legislative compensation, per diem, and travel expenses for attendance at committee meetings when the Legislature is not in session, to be paid from funds appropriated to the Legislature.

The committee shall make and submit a formal written report to the Legislature as to its findings and recommendations at the 1988 Regular Session of the Legislature.

AMENDMENT OFFERED

Rep. Adams offered the following amendment to the resolution, H. J. R. 497:

On page 2 line 8 after the word legislature. add the following:

Expenses of this committee shall not exceed $10,000.

AMENDMENT ADOPTED

On motion of Rep. Drake, the amendment was adopted.

Yeas 49; Nays 0.

Yeas:

Reps. Adams, Beasley, Blakeney, Box, Breedlove, Bugg, Carothers, Carter, Curry, Drake, Faulk, Ford, Frazier, Freeman, Gaston, Grouby, Hall, Harvey, Headley, Hettinger, Hill, Hogan, Holley, Hooper, Junkins, Kennedy, Knight, Kvalheim, Laird, Logan, Marks, Mathis, McClain, McDowell, Mikell, Moon, Newman, Perdue, Petelos, Richardson, Slaughter, Spratt, Turnham, Venable, Walker, White (G), White (L), Willis and Wright.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the resolution, H. J. R. 497 as amended, was adopted.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Beasley, Black, Blakeney, Box, Breedlove, Britnell, Bugg, Buskey (JL), Butler, Carothers, Carter, Cosby, Crow, Curry, Drake, Faulk,

Ford, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hammett, Harvey, Headley, Hill, Hogan, Holley, Hooper, Kennedy, Knight, Kvalheim, Laird, Layson, Logan, Marks, Mathis, McClain, McDowell, Mikell, Moon, Parker, Penry, Perdue, Petelos, Richardson, Seibels, Slaughter, Spratt, Turnham, Venable, Walker, White (G), White (L), Willis, Wright and Zoghby.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 631. To further amend Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, which said Act, as heretofore amended, established a pension system for officers and employees of Jefferson County, Alabama.

Also:

H. 1038. Relating to the Tenth Judicial Circuit in Jefferson County; to amend Section 6 of Act No. 75-523, H. 121, Regular Session 1975 (Acts 1975, p. 1174), relating to the appointment, duties and compensation of deputy district attorneys, so as to provide further that the chief deputy district attorney and each of the five deputy district attorneys at Levels #1, #2 and #3 shall be paid according to the amended schedule of salaries.

Also:

H. 1065. To alter, rearrange and extend the boundaries and corporate limits of the city of Bessemer, Alabama, so as to incorporate certain territory as described herein.

Also:

H. 1073. Relating to Baldwin County; regulating construction setback from the rights-of-way of any public highways, state or county, located outside the corporate limits of any municipality in Baldwin County, and the construction or erection of any outdoor signs, advertising or permanent improvements thereon; providing for an appeal process and certain exceptions; authorizing the county planning and zoning commission to issue certain rules and regulations necessary for the implementation of this act; and prescribing that the provisions of this act shall be cumulative to any and all other provisions of law relating to public roads and bridges in Baldwin County, except to the extent there is a direct conflict herewith.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 687. Relating to Tuscaloosa County; to grant the West Tuscaloosa Community Health Center, Inc. the same rights, privileges and powers granted

to Medical Clinic Boards established pursuant of Sections 11-58-1 et seq of the Code of Alabama 1975, and to Nonprofit Corporations established pursuant to 10-3A-1 et seq of the Code of Alabama 1975.

Also:

H. 948. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hammondville, in DeKalb County.

Also:

H. 949. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Fort Payne, in DeKalb County.

Also:

H. 1001. Relating to Shelby County, to amend Act 82-693, 1982 2nd Special Session (Acts of Alabama for the 1st, 2nd, 3rd Special Sessions of 1982, p. 144) as amended, so as to remove the requirement that members of the Shelby County Planning Commission shall be a free-holder in the county.

Also:

H. 1108. To alter or rearrange the boundary lines of the City of Enterprise, Coffee County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Coffee County, Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 167. Relating to Cullman County; authorizing branch banking.

Also:

H. 791. Relating to Morgan County; further amending Section 2 of Act No. 80-167, S. 299, Regular Session 1980 (Acts 1980, p. 245), as amended, relating to the distribution of payments by Tennessee Valley Authority in lieu of ad valorem taxes, so as to provide that the period for the present distribution formula shall remain in effect henceforth.

Also:

H. 990. Relating to Tallapoosa County; to alter, rearrange and extend the boundary lines and corporate limits of the City of New Site in said county.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 450. A bill to amend Section 4-3-45, Code of Alabama 1975, so as to provide for a Board of Directors for an Airport Authority of either three, five or seven members.

Also:

H. 762. To provide for an annual program of continuing education for municipal chiefs of police; to provide that chiefs who fail to comply with this act shall be subject to having his certification revoked by the Alabama Peace Officers Standards and Training Commission.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 478. To allow official court reporters who are in office on the effective date of this act to elect coverage in the employees' retirement system of Alabama; to provide the time in which the election shall be made; to provide that all official court reporters employed after the effective date shall automatically be included in the employees' retirement system; to provide for the purchase of up to five years prior service as an official court reporter as creditable service in the employees' retirement system; to amend Section 12-17-290 of the Code of Alabama 1975 so as to provide that a break in service as an official court reporter for the state of Alabama will not affect an official court reporter's eligibility for attaining supernumerary status; to amend Section 12-17-292 of the Code of Alabama 1975 so as to further provide for the salary for supernumerary circuit court reporters; and to provide that supernumerary court reporters' commissions shall be issued by the Secretary of State rather than the Chief Justice.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 992. Relating to Jackson County; authorizing the county commission to levy a lodging tax; providing for the collection and distribution of said tax; and particularly authorizing the county commission to give up to one (1) cent of the net proceeds of such tax to the Scottsboro-Jackson County Heritage Center.

Also:

H. 1046. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Roanoke, in Randolph County.

Also:

H. 1051. Relating to Montgomery County; to allow persons with certain equitable interest in real estate located in the county to be released from legal custody following arrest and to sign his own recognizance bond for court appearance.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House.

H. 164. To state the legislative intent; to amend §34-24-70; to require that the Board of Medical Examiners shall only approve certain off-shore medical schools if it finds that the medical education that is provided is substantially equivalent to that provided by medical schools in the United States and the District of Columbia; to authorize the Board of Medical Examiners to reject or not accept a diploma from any college of medicine which is not approved by the Board and to deny issuance of a certificate of qualification for licensure to practice medicine in Alabama to any individual holding such a diploma; to empower the Board to adopt, pursuant to the Alabama Administrative Procedure Act, all necessary rules, regulations, procedures, criteria, qualifications and guidelines as may be necessary to give effect to the provisions of this Act; to authorize the Board to prescribe a reasonable fee to cover cost and expenses of the evaluation of a college of medicine and require the payment of such fee to the Board; to establish the procedures required of such colleges to secure the required approval and to prescribe the interval for which such approval is granted and the interval at which such college which is denied approval may reapply for such approval; to establish that in any action for judicial review of a Board determination to approve or disapprove graduates of a college of medicine or based upon the exercise of authority granted by this Act, the reviewing court shall be bound by the determination of the Board for evaluating the quality of the medical education of the institution in question and shall uphold the determination of the Board unless the court finds the same to be unsupported by any facts or arbitrary or capricious; to provide that effective 180 days after the effective date of this act only applicants holding a degree from a college of medicine approved by the Board shall be issued a certificate of qualification; to provide that any portions of this act which are declared unconstitutional or void by any court of competent jurisdiction does not affect those parts remaining; to provide for repeal of all laws or parts of laws which conflict with this Act; to provide that this Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming law.

Also:

H. 193. To amend Section 11-43-12.1 Code of Alabama 1975, as amended, to authorize municipal employees or board members of municipal boards, organized under statutory authority of or for such municipality, to deal with and transact business with the employer municipality on the same basis and

under the same procedures as municipal officials are authorized to do under said Section.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Reps. Hamilton and Carter:

H. J. R. 498. COMMENDING THE WEST LIMESTONE HIGH SCHOOL WILDCATS ON THEIR 1987 STATE BASEBALL CHAMPIONSHIP.

WHEREAS, the West Limestone High School Wildcats, for the second year in a row and by virtue of outstanding back-to-back seasons, participated in the State Baseball Championship Finals; and

WHEREAS, in 1986, the Wildcats finished second in state, losing 3-2 in the final game of a best two-of-three series; and

WHEREAS, in 1987, the Wildcats started the first round by beating Ardmore 4-3; they then traveled to Crossville for a 3-0 victory and, in the semi-finals, defeated Cherokee two games straight, 15-7 and 12-1; and

WHEREAS, the Wildcats took on UMS of Mobile in the championship series, winning the first game 5-3 and losing the second 10-3 to UMS; and

WHEREAS, in the final game, the Wildcats won the first baseball championship in the history of West Limestone High School by a score of 3-2, and it was indeed a great victory for the team, their school and the community; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That we hereby most highly commend and congratulate Coach Michael L. Nave and the West Limestone Wildcats on their 1987 State Baseball Championship.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Coach Nave, on behalf of the team, and that a copy also be presented to Principal Aubry Privett for appropriate school display.

On motion of Rep. Hamilton, the rules were suspended and the resolution, H. J. R. 498, was adopted.

Also:

By Reps. Hettinger, Freeman, Hall, Butler, Brooks, and Grayson:

H. J. R. 499. COMMENDING JAN DOZIER OF HUNTSVILLE, ALABAMA, ON HER SELECTION AS A MEMBER OF THE UNITED STATES ASTRONAUT TRAINING PROGRAM.

WHEREAS, it is with deep personal pride that the Alabama Legislature notes the selection of Jan Dozier of Huntsville, Alabama, as a candidate for NASA's Astronaut Corps; and

WHEREAS, a native of Cocoa Beach, Florida, and a Huntsville resident for the past 23 years, Miss Dozier has been employed as an engineer with the Marshall Space Flight Center since 1979; and

WHEREAS, an honor graduate of Huntsville High School, Miss Dozier holds the Bachelor of Science degree in biomechanics from Georgia Tech and a B.S. degree in mechanical engineering from Auburn University; she further holds the Master's degree in mechanical engineering from the University of Alabama in Huntsville and, in 1985, became the first woman in the history of UAH to earn a doctoral degree in engineering; and

WHEREAS, as an aspirant to the space corps for many years, Jan Dozier has further broadened her credentials through scuba diving and pilot training, and has prepared herself both mentally and physically for the job she has sought since 1984; and

WHEREAS, Miss Dozier, however, already has numerous accomplishments to her credit, including a national engineering award, and her work at the Marshall Center with the Hubble Space Telescope and on the space shuttle redesign; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Jan Dozier of Huntsville, Alabama, for outstanding professional achievement, and do further most warmly congratulate her as a trainee for the Astronaut Corps.

BE IT FURTHER RESOLVED, That Miss Dozier receive a copy of this resolution that she may know of our esteem for her accomplishments, and of our best wishes for every future success as an American astronaut and an Alabamian in whom we are justly proud.

On motion of Rep. Hettinger, the rules were suspended and the resolution, H. J. R. 499, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Hettinger, Hall, Brooks, Freeman, Butler, and Grayson:

H. R. 500. COMMENDING JAN DOZIER OF HUNTSVILLE, ALABAMA, ON HER SELECTION AS A MEMBER OF THE UNITED STATES ASTRONAUT TRAINING PROGRAM.

Also:

The following resolutions were introduced:

By Rep. Penry:

H. J. R. 501. COMMENDING JOSEPH THOMAS HEFLIN ODOM OF FAIRHOPE, ALABAMA, FOR DISTINGUISHED MILITARY SERVICE AND CONTRIBUTIONS TO THE COMMUNITY.

WHEREAS, a native of Bon Secour, Alabama, Joseph Thomas Heflin Odom was educated in the public schools in Bon Secour and Foley, and at Faulkner State College in Bay Minette; and

WHEREAS, Thomas Odom, in April 1947, began a distinguished military career that, upon retirement in October 1987, will have spanned a period of more than 40 years; and

WHEREAS, enlisting in the Alabama National Guard as a private, Mr. Odom was employed as a full-time Military Technician in October 1948; he

was appointed Warrant Officer W-1 in 1953, and attained the rank of Chief Warrant Officer W-4; and

WHEREAS, Mr. Odom, during this time, was called to active duty on a number of occasions by Presidential and Gubernatorial actions, to serve in Korea, during the Berlin Crisis and for hurricane disasters; and

WHEREAS, in recognition of meritorious service, Thomas Odom is the recipient of such distinguished federal and state awards as the National Defense Service Medal/3 Oak Leaf Clusters, both the Korean and United Nations Service Medals, the Republic of Korea Presidential Unit Citation, Faithful Service Cross/11 St. Andrew Crosses, and the National Emergency Service Medal/Berlin Crisis Clasp, among numerous others; and

WHEREAS, he further has prticipated in many ceremonial functions, including two Governor's Inaugurations, and has served the community as a private citizen through activities of the Foley and Fairhope Volunteer Fire Departments, BPOE Lodge #1879, and through involvement with numerous programs and functions related to youth, sports and the local schools; and

WHEREAS, among Mr. Odom's many civic, fraternal, military and social memberships are the American Legion, VFW, the National Guard Associations of Alabama and the United States, Fraternal Order of Police, Baldwin County Fire Chiefs Association, the Fairhope and Lake Forest Yacht Clubs and several Mardi Gras Mystic Societies; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of his distinguished military career and outstanding service to the community, state and nation, we hereby commend Joseph Thomas Helfin Odom of Fairhope, Alabama, whom we hold in warmest personal regard and to whom a copy of this resolution shall be presented.

On motion of Rep. Penry, the rules were suspended and the resolution, H. J. R. 501, was adopted.

Also:

By Reps. Butler, Hall, Hettinger, Freeman, Grayson, Brooks, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Fuller, Gaston, Goodwin, Gray, Grouby, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 502. MOURNING THE DEATH OF NEWTON LUTHER REYNOLDS OF MADISON COUNTY, ALABAMA.

WHEREAS, it is with deep sadness and regret that the Alabama Legislature records the death of Newton Luther "Luke" Reynolds of Madison County, Alabama, on July 25, 1987, at the age of 76 years; and

WHEREAS, a native and lifelong resident of Madison County, Mr. Reynolds was a cotton farmer and ginner, and was a member of the Alabama House of Representatives from 1950-1966; he was a United States Army veteran of World War II and a member of the Central Church of Christ; and

WHEREAS, Luke Reynolds was indeed a prominent and beloved member of his community; his death has left a deep void in the hearts of his family and friends and in the lives of all those he touched with deeds of great kindness, compassion and concern; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Newton Luther "Luke" Reynolds of Madison County, Alabama, and extend our very deepest and heartfelt sympathy to his beloved wife, Mrs. Christine Reynolds; to his daughter and son, Mrs. Cheryl Holloway and Steve Reynolds; and to other family members, whose deep sorrow we share and for whom a copy of this resolution shall be provided.

On motion of Rep. Butler, the rules were suspended and the resolution, H. J. R. 502, was adopted.

Also:

The following resolutions were introduced and distributed according to Joint Rule 11:

By Reps. Butler, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. R. 503. MOURNING THE DEATH OF NEWTON LUTHER REYNOLDS OF MADISON COUNTY, ALABAMA.

Also:

By Rep. Butler:

H. R. 504. MOURNING THE DEATH OF ROBERT EDGAR TRUE OF MADISON, ALABAMA.

Also:

By Rep. Mathis:

H. R. 505. COMMENDING CHIEF MASTER SERGEANT J. W. PEACOCK ON HIS DISTINGUISHED MILITARY CAREER AND SERVICE TO THE ALABAMA AIR NATIONAL GUARD.

Also:

By Rep. Blakeney:

H. R. 506. CONGRATULATING MR. AND MRS. ANDREW CARL SMITH, JR., ON THE OCCASION OF THEIR 25TH WEDDING ANNIVERSARY.

Also:

By Reps. Hogan and Frazier:

H. R. 507. COMMENDING D. RAY RICE OF JASPER, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

By Reps. Hamilton and Carter:

H. R. 508. COMMENDING THE WEST LIMESTONE HIGH SCHOOL WILDCATS ON THEIR 1987 STATE BASEBALL CHAMPIONSHIP.

Also:

By Rep. Penry:

H. R. 509. COMMENDING JOSEPH THOMAS HEFLIN ODOM OF FAIRHOPE, ALABAMA, FOR DISTINGUISHED MILITARY SERVICE AND CONTRIBUTIONS TO THE COMMUNITY.

Also:

By Rep. Turnham:

H. R. 510. MOURNING THE DEATH OF EARL FRANKLIN KENNAMER OF AUBURN, ALABAMA.

Also:

By Rep. Junkins:

H. R. 511. MOURNING THE DEATH OF MRS. RUBY LOPER SPIELBERG OF GADSDEN, ALABAMA.

Also:

By Rep. Junkins:

H. R. 512. MOURNING THE DEATH OF OLLIE WALKER ALEXANDER OF ATTALLA, ALABAMA.

Also:

By Rep. Junkins:

H. R. 513. MOURNING THE DEATH OF CHARLES EDWARD KROELINGER, JR., OF GADSDEN, ALABAMA.

Also:

By Rep. Junkins:

H. R. 514. MOURNING THE DEATH OF LOUISE GRIFFIN GREEN OF PIKE COUNTY, ALABAMA.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 998. Relating to St. Clair County; to amend Section 1 of Act No. 80-280, S. 459, 1980 Regular Session (Acts 1980, p. 394), which provides for the hiring of certain personnel in the office of the sheriff in said county and prescribing salaries for such personnel, so as to provide further for the hiring of additional deputies and compensation.

Also:

H. 1000. To alter and rearrange the boundaries of the city of Pelham in Shelby County, so as to exclude and include certain territory from the corporate limits of the city.

Also:

H. 1002. To alter and rearrange the boundaries of the city of Helena in Shelby County, so as to exclude and include certain territory from the corporate limits of the city.

Also:

H. 1064. To levy a lodgings tax in Shelby County, to provide for the collection and distribution of said tax, and to provide that the net proceeds of said tax shall be used exclusively for the support and promotion of tourism and industry in Shelby County.

Also:

H. 1117. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Senators Smith (B), Drinkard, and Smith (J):

S. J. R. 201. URGING PRESIDENT RONALD REAGAN TO APPOINT ZACK THOMPSON OF ALABAMA TO FILL THE VACANCY CURRENTLY EXISTING ON THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY.

Also:

By Senator Goodwin:

S. J. R. 203. REQUESTING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO RECOMMEND THAT REGULATION OF OIL AND GAS EXPLORATION AND PRODUCTION

WASTES CONTINUE TO BE THE RESPONSIBILITY OF THE INDIVIDUAL STATES.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Carter, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 201, the title of which is set out in the above and foregoing Message from the Senate.

On motion of Rep. Cosby, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 203, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 286. URGING THE INSTITUTIONS OF HIGHER EDUCATION TO GRANT PAY RAISES TO CERTAIN EMPLOYEES DENIED SALARY INCREASES DUE TO PRORATION.

McDOWELL LEE,
Secretary.

RULE SUSPENDED

On motion of Rep. McMillan, Rule 6(1) was suspended to accept the bill, H. 1053 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1053. Relating to Baldwin County; to authorize the Baldwin County Commission to impose excise taxes on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county; to provide for the collection and payment of such taxes and to provide the distribution and the use of the funds derived therefrom; to authorize the Baldwin County Commission to make reasonable rules and regulations for the collection of such taxes, and to provide the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Baldwin County Commission for the collection of said taxes.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. McMillan, the House concurred in and adopted the Senate amendment to the bill, H. 1053, said Senate amendment being as follows:

Amend House Bill No. 1053 Page 6 of 8 Line 28, by striking out remitted after the word "be" and inserting in lieu thereof the word "rescinded"

Amend House Bill No. 1053 Page 4 of 8 Line 7, by inserting after the word "municipalities," any other entity as determined by the County Governing body, to be exempted under existing state statutes.

Yeas 30; Nays 0.

Yeas:

Mr. Speaker, Beasley, Blake, Box, Breedlove, Bryant, Bugg, Campbell, Cosby, Curry, Dillard, Freeman, Gaston, Grouby, Hall, Harvey, Haynes, Hettinger, Knight, Kvalheim, Laird, Marks, Mathis, McMillan, Mikell, Slaughter, Turnham, Walker, Willis and Zoghby.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RULE SUSPENDED

On motion of Rep. Grouby, Rule 6(1) was suspended to accept the bill, H. 46 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 46. To require a grand jury investigation of any hunting death involving a gun or bow and arrow when such accident results in death and when such death is caused by one person against another; and to require further that all such accidents be reported within 72 hours to the office of the Director of the Game and Fish Division of the Department of Conservation and Natural Resources, by the Coroner and the Sheriff's Department of the county in which the death occurred.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Grouby, the House concurred in and adopted the Senate amendment to the bill, H. 46, said Senate amendment being as follows:

Amend H. B. 46, Page 1, Line 25, by inserting between the word "investigation" and the word "of" the following:

"upon the recommendation of the Conservation Department"

Yeas 32; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Box, Breedlove, Buskey (JL), Butler, Curry, Davis, Dillard, Freeman, Hall, Hettinger, Hill, Knight, Kvalheim, Layson, Logan, Marks, Mathis, McClain, Mikell, Moon, Parker, Perdue, Slaughter, Walker, White (F), White (G), White (L), Willis and Wright.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RULE SUSPENDED

On motion of Rep. Grouby, Rule 6(1) was suspended to accept the bill, H. 533 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 533. To reopen the Teachers' and Employees' Retirement Systems of Alabama for purchase of certain service credit and military service credit; to provide that as a prerequisite to obtaining such credit, said members must be active and contributing members of the Employees' Retirement System of Alabama or the Teachers' Retirement System of Alabama; to provide that this act shall take effect October 1, 1987, and to provide for its termination on October 1, 1988.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Grouby, the House concurred in and adopted the Senate amendment to the bill, H. 533, said Senate amendment being as follows:

Amend House Bill 533 on page 2 by striking lines 10-15 in their entirety and inserting in lieu thereof the following: "retirement a sum equal to a percentage of his current annual earnable compensation for each year of service purchased; the applicable percentage of his current annual earnable compensation shall be the sum of the prevailing percentage rates of employer and member contributions, as required by the most recent acturial valuation, for each year of service purchased."

Yeas 43; Nays 0.

Yeas:

Mr. Speaker, Beasley, Blake, Blakeney, Box, Breedlove, Bugg, Buskey (JE), Buskey (JL), Butler, Campbell, Clark (W), Curry, Davis, Dillard, Flowers,

Freeman, Gaston, Hall, Headley, Hettinger, Hill, Johnson (RG), Kennedy, Knight, Kvalheim, Layson, Logan, Marks, Mathis, McClain, Mikell, Parker, Perdue, Petelos, Poole, Slaughter, Venable, Walker, White (F), White (L), Wright and Zoghby.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

UNFINISHED BUSINESS

The House then proceeded with the consideration of the Unfinished Business.

And the bill:

S. 147. To provide further for motor vehicular operation and safety; to amend Section 32-5A-171, Code of Alabama 1975, which relates to the maximum speed at which motor vehicles may be driven so as to increase said limit on certain roads; to provide for the marking of trucks and maximum speed limit for trucks transporting explosives, flammable liquids or hazardous wastes; to require certain front seat occupants of motor vehicles to wear safety seat belts; and to provide for penalties for violations.

And the pending substitute offered by Rep. McKee on the twenty-eighth legislative day, were taken up.

MOTION TO INDEFINITELY POSTPONE

Rep. Carothers offered the motion to indefinitely postpone the bill, S. 147, and the pending substitute.

SUBSTITUTE MOTION ADOPTED

Rep. Buskey (JE) offered the substitute motion to temporarily postpone the bill, S. 147, and the pending substitute, and the substitute motion was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Blake, Box, Britnell, Bugg, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Frazier, Gaston, Goodwin, Gray, Grouby, Hamilton, Hammett, Harvey, Haynes, Headley, Higginbotham, Hogan, Holley, Johnson (RG), Johnson (RW), Junkins, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Rains, Reed, Richardson,

Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, Warren, White (F), White (L), Williams and Willis.

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REPORT OF THE STANDING COMMITTEE ON RULES

Rep. Carter, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolutions and ordered same returned to the House with a favorable report:

S. J. R. 120. REQUESTING THAT THE INSURANCE COMMISSIONER IMMEDIATELY DESIGNATE A STAFF PERSON IN THE ALABAMA INSURANCE DEPARTMENT TO INVESTIGATE AND ASSIST WITH SOLVING THE CHILD DAY CARE INSURANCE CRISIS.

On motion of Rep. Kennedy, the resolution, S. J. R. 120, was adopted.

Also:

S. J. R. 93. URGING THE GOVERNOR TO DESIGNATE A STAFF PERSON TO SERVE AS CHILD DAY CARE COORDINATOR.

On motion of Rep. Kennedy, the resolution, S. J. R. 93, was adopted.

Also:

S. J. R. 96. REQUESTING THE COMMISSIONER OF THE DEPARTMENT OF HUMAN RESOURCES TO ESTABLISH COUNTY COORDINATING COUNCILS FOR CHILD DAY CARE, WHERE FEASIBLE.

On motion of Rep. Kennedy, the resolution, S. J. R. 96, was adopted.

Also:

S. J. R. 95. REQUESTING THAT THE GOVERNOR IMMEDIATELY ESTABLISH AN ALABAMA COUNCIL OF CHILD DAY CARE REGULATORS TO COORDINATE DAY CARE REGULATORY FUNCTIONS WITHIN STATE GOVERNMENT IN ORDER TO DEVELOP CONSISTENT AND COHERENT STATE REGULATIONS AND POLICIES.

On motion of Rep. Kennedy, the resolution, S. J. R. 95, was adopted.

Also:

S. J. R. 119. REQUESTING THE DIRECTOR OF THE ALABAMA DEVELOPMENT OFFICE AND THE ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS (ADO/ADECA) TO DESIGNATE A STAFF PERSON TO INFORM AND ENCOURAGE EMPLOYERS INTERESTED IN PROVIDING CHILD DAY CARE SUPPORT SERVICES AND BENEFITS.

On motion of Rep. Kennedy, the resolution, S. J. R. 119, was adopted.

Also:

S. J. R. 180. DIRECTING THE DEPARTMENT OF HUMAN RESOURCES AND THE STATE MEDICIAD AGENCY TO IMPLEMENT ITEMS A., B., AND C., II, OF THE STATE HEALTH OFFICER'S SUMMARY.

On motion of Rep. Kennedy, the resolution, S. J. R. 180, was adopted.

Also:

H. J. R. 277. CALLING FOR A CONSTITUTIONAL CONVENTION FOR THE PURPOSE OF ELECTING PRESIDENTIAL ELECTORS.

On motion of Rep. Venable, the resolution, H. J. R. 277, was adopted.

Also:

S. J. R. 41. TO ESTABLISH A LEGISLATIVE COMMITTEE TO MAKE RECOMMENDATIONS AS TO THE APPROPRIATE STATE AGENCY TO ADMINISTER THE MEDICAID WAIVERED SERVICES PROGRAM FOR THE ELDERLY AND TO URGE THE GOVERNOR TO DELAY THE TRANSFER OF THE MEDICAID WAIVERED SERVICES CURRENTLY BEING ADMINISTERED BY THE COMMISSION ON AGING TO THE DEPARTMENT OF HUMAN RESOURCES SCHEDULED TO BE EFFECTIVE MAY 1, 1987 PENDING THE RECOMMENDATIONS OF THE LEGISLATIVE COMMITTEE CREATED HEREIN.

On motion of Rep. Carter, the resolution, S. J. R. 41, was adopted.

Also:

S. J. R. 83. ENCOURAGING LOCAL BOARDS OF EDUCATION TO ADOPT A CALENDAR PROVIDING FOR AN OPENING SCHOOL DATE ON TUESDAY FOLLOWING LABOR DAY.

On motion of Rep. Johnson (RW), the resolution, S. J. R. 83, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 648. Relating to Jefferson County; to create a public corporation for the purposes of flood control in circumstances affecting urban areas in Jefferson County, to be known as the Jefferson County Flood Control Authority, with its principal office to be located in the City of Birmingham; to provide for a board of directors, prescribe the method of appointment and compensation of directors, their duties, powers, and authority; to authorize the State of Alabama, and counties and municipalities therein, to contract with and to appropriate funds to such Authority and to issue general obligation or revenue bonds or warrants to finance projects; to provide that the debts and obligations of the Authority shall not be the debts or obligations of the State of Alabama, or any county or municipality therein; and to exempt the Authority and its property from state, county, and municipal taxation.

Also:

H. 708. To amend Section 4 of Act No. 86-645 1st Special Session, 1986, concerning the repayment of funds transferred from Fund No. 305735 by said Act.

Also:

H. 886. Relating to Class I municipalities, to provide that the courts of this state shall take judicial notice of all municipal ordinances of such municipalities.

Also:

H. 891. To authorize the Board of Managers of the City of Birmingham Retirement and Relief System to consider the application of A. Joyce Seale to purchase creditable time in the retirement and relief fund for time served in the civil defense corps and to allow such purchase if, in the judgment of the board of managers, such purchase is reasonable, and to provide for the conditions and limitations applying to such purchase, and to set an effective date.

Also:

H. 896. To provide for the appointment, duties and compensation of six Deputy District Attorneys in the Tenth Judicial Circuit of Alabama, Bessemer Division.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 298. Relating to Jefferson County; authorizing the Jefferson County Commission and the Jefferson County Sheriff's Department to prohibit the overgrowth of weeds, the storage and accumulation of junk, inoperable motor vehicles and other litter; providing for penalties; and providing that this act shall be known as the Cope and Norris Act.

WHEREAS, the Jefferson County government finds as fact that overgrowth of weeds or vegetation and accumulation or storage of junk, trash, scrap materials, rubbish, tires, inoperable motor vehicles, litter, debris, and other matter, all or any one or combination thereof, on premises of two acres or less within the unincorporated territory of Jefferson County constitute a real and present danger and hazard to the health and safety of the citizens of Jefferson County; and

WHEREAS, such overgrowth, storage and accumulations are widespread and have caused reduction in the value of neighboring premises; now therefore,

Also:

H. 452. To alter, rearrange and extend the boundaries and corporate limits of the City of Columbiana, Alabama, so as to incorporate certain territory as described herein.

Also:

H. 453. To propose an amendment to the Constitution of Alabama of 1901, so as to authorize Shelby County to levy additional taxes within the county for public school purposes.

Also:

H. 629. Relating to Jefferson County; to amend section 4 of Act 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, pp. 717-739) as heretofore amended, by adding a subsection (e) to said section 4; said subsection (e) to provide that any person serving as an

employee or an officer of the county and who has and been a member of the pension system, meeting certain requirements and under certain circumstances, may convert all or part of any unpaid membership time to paid membership time in the pension system; to authorize the pension board of the general retirement system for employees of Jefferson County to promulgate rules and regulations to implement the provisions of this subsection (e).

Also:

H. 731. To amend Section 12-19-92, Code of Alabama 1975, which provides for fees of constables, so as to provide further for the fees of the constables in Jefferson County.

Also:

H. 885. To further amend Act No. 921 of the 1951 Regular Session, as amended, and as further amended and restated in Act No. 1272 of the 1973 Regular Session of the Legislature of Alabama, as amended (Acts, 1973, pp. 2124, et seq.), which Act, as amended, provides a retirement and relief system for officers and employees of each city of the State of Alabama having a population of 250,000 or more inhabitants according to the last or any succeeding federal census to provide a retirement benefit for officers or employees of such cities who have attained the age of seventy (70) years or more, who have ten (10) or more but fewer than fifteen (15) years of credited service.

Also:

H. 843. To authorize the Shelby County commission to adopt, amend, and provide for the enforcement of certain building codes which shall apply in certain areas in said county; to prescribe the manner of adopting such codes; to authorize said commission to enforce such codes; to authorize the prescription and collection of certain fees necessary to effect the enforcement of such codes; and to prescribe penalties for violation of such codes.

McDOWELL LEE,
Secretary.

S. 84 TAKEN UP

Pursuant to the Motion in Writing offered by Rep. Turnham on the twenty-ninth legislative day, the bill:

S. 84. To amend Code of Alabama 1975, §20-2-93, relating to seizure and forfeiture of property in controlled substances cases.

As amended, and the pending substitute were taken up.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Black, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Butler, Campbell, Carter, Crow, Curry, Dillard, Drake, Flowers, Frazier, Freeman, Gaston, Goodwin, Gray, Grouby, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Hooper,

Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, Mikell, Moon, Newman, Parker, Penry, Perdue, Poole, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Turner, Turnham, Venable, Walker, White (F), White (G), White (L), Williams and Willis.

—73

And the bill, S. 84 as amended, was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Crow, Curry, Davis, Dillard, Flowers, Frazier, Freeman, Gaston, Goodwin, Hall, Hamilton, Hammett, Harvey, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marks, McClain, McDowell, McKee, Mikell, Moon, Newman, Parker, Penry, Petelos, Poole, Reed, Richardson, Seibels, Slaughter, Starkey, Thomas, Turnham, Venable, Walker, White (F), White (G), White (L), Williams, Willis and Wright.

—67

MESSAGE FROM THE GOVERNOR

To The House of Representatives of Alabama
Alabama State House
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor, returning House Bill No. 1003, without the Governor's signature, but with the following suggested Executive Amendment.

Done this 23rd day of July, 1987.

Respectfully submitted,

JOHN E. GRENIER,
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The House of Representatives of Alabama
Alabama State House
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the body in which it originated, House Bill No. 1003, without my signature, but with the following suggested Executive Amendment.

EXECUTIVE AMENDMENT TO HOUSE BILL NO. 1003:

Amend House Bill No. 1003, page 2, immediately following Section 6 by inserting a new Section 7 to read as follows:

Section 7. This act shall be inoperative and void unless it shall have been approved by a majority of the qualified electors who reside in the City

of Mobile in Mobile County and who vote thereon at a referendum held for such purpose. The referendum shall be held in conjunction with the next regularly scheduled federal, state or local election to be held in the City or at a special election called by the governing body of the City. If a majority of the votes cast at the election are affirmative votes, this act shall be in full force and effect after the referendum. If a majority of the votes cast are in the negative, this act shall have no effect.

Further amend said House Bill No. 1003 by renumbering the remaining section accordingly.

The adoption of the above suggested Executive Amendment will remove my objections to this bill.

Done on this the 23rd day of July, 1987.

Respectfully,

GUY HUNT,
Governor.

GOVERNOR'S MESSAGE

The House then proceeded to reconsider the bill:

H. 1003. Relating to the City of Mobile in Mobile County; authorizing the governing body to approve and make lawful the sale of alcoholic beverages at retail within its corporate limits on Sunday after the hour of 2 A.M., except between the hours of 9 A.M. and 12 noon; authorizing said governing body to establish within its corporate limits the hours of sale of alcoholic beverages on Sunday after 2 A.M., except between 9 A.M. and 12 noon; and providing for the sale by retail licensees of the alcoholic beverage control board.

On motion of Rep. Clark (W), the House non-concurred in the amendment proposed by His Excellency, the Governor, to the bill, H. 1003, said Executive amendment being set out in the above and foregoing Message from the Governor.

Yeas 22; Nays 8.

Yeas:

Mr. Speaker, Black, Box, Bryant, Bugg, Buskey (JE), Buskey (JL), Clark (W), Grayson, Harper, Hettinger, Kennedy, Marietta, McDowell, Perdue, Reed, Rogers, Seibels, Slaughter, Spratt, Williams and Zoghby.

—22

Nays:

Reps. Campbell, Gaston, Gray, Holley, Kvalheim, Richardson, Turner and Warren.

—8

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The question was then on the passage of the bill, H. 1003, the Governor's veto to the contrary notwithstanding.

And on motion of Rep. Clark (W), the bill, H. 1003, was again read at length and lost, failing to receive a majority of the whole number elected to the House.

Yeas 28; Nays 8.

Yeas:

Mr. Speaker, Black, Bryant Buskey (JE), Buskey (JL), Campbell, Carothers, Clark (W), Fuller, Grayson, Hall, Harper, Hettinger, Kennedy, Marietta, Mathis, McClain, McDowell, Perdue, Reed, Rogers, Seibels, Slaughter, Spratt, Thomas, White (L), Williams and Zoghby.

—28

Nays:

Reps. Blake, Box, Dillard, Gaston, Kvalheim, Rains, Turner and White (F).

—8

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 515. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That immediately upon the adoption of this resolution, the following business, in the order named, be made the special and paramount order of business for the 30th legislative day, Monday, August 3, 1987, taking precedence over the regular order of business or any pending or unfinished business.

Uncontested Local Bills

And the Following Bills:

Inst Id	Page
S. 396—By Rice	12
Use Tax, over collection of, paid to state, Sec. 40-23-61 am'd.	
S. 397—By Rice (As Substituted)	13
Sales tax, over collection of, paid to state, Sec. 40-23-2 am'd.	
S. 155—By Dixon	2
Contract Review Permanent Legislative Oversight Committee, auth. further provided, Sec. 29-2-41 am'd.	

S. 515—By Rice 25

Human Resources Dept., family group homes established as type of child day care, Sec. 38-27-2 amended

S. 214—By Bedford 12

Boards of education, authorized to compensate paying banks regarding schools warrants, section 16-13-99 amended

S. 215—By Bedford 12

Financial institution with fiduciary capacity purchase bonds and securities underwritten by financial institutions

S. 454—By Horn (As Substituted) 11

Teachers and Employees retirement system, reopen for purchase of nonmembership service

S. 264—By Hand 18

Emergency forest fire fund, name altered to emergency forest fire, insects and disease fund, Section 9-3-10.1 amended

S. 345—By Foshee 3

Liquefied Petroleum Gas Board, law enforcement officers employed by, subsistence allowance, Section 36-21-2 amended

S. 141—By Manley 22

Mortgages further provided for so as to permit execution of deed in lieu of foreclosure, rights of parties

S. 83—By Smith (J) 5

Trade Secrets Act, remedies, statute of limitations

S. 467—By Manley 24

State Council on Arts and Humanities, named changed, Sec. 41-9-41 am'd.

S. 254—By Covington 22

State employees travel allowance, optional when attending training schools, Sec. 36-7-20 am'd.

S. 148—By Goodwin (As Amended) 9

Counties and muns., auth. to provide tax increment financing for revitalization, consti. amend.

S. 149—By Goodwin 9

Counties and muns., provide for tax increment financing for revitalizations

S. 75—By Smith (J) 31

Trafficking in illegal drugs, class A felony, sections 20-2-80 and 20-2-81 amended

S. 276—By Langford 30

Codes and Ordinances adopted by reference, Sec. 11-45-8 amended

S. 44—By Langford 23

Public contracts, competitive bids, collusion, made uniform on basis of $3,000.00,Secs. 41-16-54 and 41-16-55 am'd.

S. 203—By Bedsole 6

Timber Theft Equipment Condemnation Act, estab., penalties

S. 42—By Langford 14

Mortgage recording tax, exempt re-recordation for correction of errors, Secs. 40-22-1, 40-22-2 am'd.

S. 158—By Dixon 10

Alabama Peace Officers Hall of Fame Board, estab., powers, duties

S. 1—By Ellis 34

Traffic fines incr., distrib. to traffic safety programs, Sec. 32-5-313 am'd.

S. 250—By Sanders 29

Legislation requiring county to expend new or add'l funds, shall not be implemented until new fiscal yr., consti. amend.

S. 426—By Cabaniss 28

Innocent spouse, limited liability on jt. income tax return, Sec. 40-18-27 am'd.

S. 252—By Goodwin 28

Highway Dept., est. working capital fund from which to pay claims against dept's self-insurance program

S. 212—By Smith (J) 20

Motor Vehicles, first degree assault if DUI and injure person. Sec. 13A-6-20 amended

S. 253—By Bailey 26

Constitutional amendment to prohibit diversion of Retirement Systems assets

S. 243—By Manley 32

Insanity, not guilty by reason of, test, burden of proof, Section 13A-3-1 amended

S. 339—By Corbett 11

Liquefied Petroleum Gas Bd., powers, duties, authorities and requirements, further reg., creation of bond fund, Sec. 9-17-105 am'd.

S. 680—By Amari 35

United Cerebral Palsy of Ala and United Cerebral Palsy Development Center for East Alabama, appropriation from Special Educational Trust Fund for

S. 393—By Smith (B) 4

Bonds, amount insurance companies & banks may purchase under federal Farm Credit Act, Section 5-5A-24 repealed

S. 176—By Bailey 27

Child Labor, statute am'd. to conform with fed. law, Sec. 25-8-4, 25-8-8 and 25-8-16 amended

S. 316—By Preuitt 5

Education Department auth. renegotiate cert. food storage contacts, Act 86-434, Reg. Sess. am'd.

S. 301—By Hand 17

Muns. of 2,000 or less inhabitants, gas tax proceeds auth. to be used for new streets and roads, Sec. 40-17-224 am'd.

S. 117—By Ellis 13

Counties, bonds or warrants of the county, not considered bond for cert. purposes, said bonds and warrants not deemed part of county's indebtedness, consti. amend.

S. 161—By Dixon (As Amended) 14

Persons convicted of DUI req. to complete a ct. referral program approved by Administrative Office of Cts., Sec. 32-5A-191 am'd.

S. 209—By Menton 4

Assault with intent to prevent peace officers from duty that causes physical injury to any person is a Class C felony, Sec. 13A-6-21 and 13A-6-22 am'd.

S. 476—By Campbell 7

Agriculture and Industries Department, issue arrest citations for livestock sanitary and disease control laws, violations

S. 150—By Goodwin 17

Selma-Dallas Co. Historical Preservation Society, tax exemption

S. 107—By Holmes 8

Aeronautics Dept., power of eminent domain around airports auth.

S. 290—By Denton 3

State employees, non-monetary awards auth. in lieu of longevity pay, Sec. 36-6-1 am'd.

S. 27—By Ellis 3

Hunting, hours alt.

S. 43—By Langford 22

Public Employees' Individual Retirement Account Fund, cert. st. and local public officers and employees auth. to contribute to fund, Secs. 36-27A-1, 36-27A-5 am'd.

S. 88—By Bishop 24

Insurance Commissioner, election procedure and salary, insurance rate-making procedures prescribed, bond req., Secs. 27-2-2, 27-2-4, 27-3-26, 27-13-66, 27-13-68, 27-13-81, 27-13-83 am'd. Secs. 27-13-71, 27-13-72, 27-13-80 repealed

S. 46—By Bedsole 28

State wildlife print and stamp, auth., Conservation and Natural Resources to administer

S. 65—By Bedford 15

Hunter Education Course, required for annual, trip or lifetime hunting licenses prior to issuance

S. 79—By Smith (J) 20

Crime of falsely reporting an incident, penalty incr. to felony, Sec. 13A-11-11 am'd.

S. 130—By Bennett 35

Ad valorem taxes, errors made in assessment, computations, calculations, collections of such taxes, corrections authorized for tax officials

S. 162—By Dixon 21

Bd. of Dental Examiners, auth. to employ investigators with powers of peace officers to investigate controlled substance abuse, Secs. 20-2-90, 20-2-91, 34-9-43 am'd.

S. 193—By Hand 6

Water, Sewer and Fire Protection authorities, bd. of dirs. compensation, Sec. 11-88-6 am'd.

S. 300—By Goodwin 30

Oil and Gas Board, duties alt., drilling fees incr., Special Fund created, Secs. 9-17-6, 9-17-24 am'd.

S. 204—By Bedsole 2

Sickle cell anemia, testing req., Sec. 22-20-3 am'd.

S. 310—By Barron 16

Supernumerary officials, qualifications Sec. 40-6-1 amended

S. 375—By Rice 8

Motor vehicles, trucks, trailers, and semi-trailers, license period extended to 5 yrs., option of fleet owners, Sec. 40-12-252 am'd.

S. 401—By Denton 16

Boll Weevil Eradication, assessments for, Secs. 2-19-131 and 2-19-135 am'd.

S. 453—By Holmes 27

Alabama Family Medical Catastrophe Fund and Family Medical Catastrophe Board, estab.

S. 475—By Goodwin 26

Headlights, use req. in rain, Sec. 32-5-240 am'd.

S. 536—By Sanders (As Amended) 37

Human Resources Dept., state supported child day care program, supp. approp.

S. 641—By Horn 37

Sickle Cell Education Program, approp.

S. 671—By Bailey (As Substituted) 36

Special Education Schools, approp. from Special Educational Trust Fund for fiscal year ending Sept. 10, 1988

S. 676—By Horn 36

Ala. League for Advancement of Ed., approp. from Special Educational Trust Fund for fiscal year ending 1988

AMENDMENT OFFERED

Rep. Carothers offered the following amendment to the resolution, H. R. 515:

Amend H. R. 515 on page 1, Title, line 10 by striking the period and add the following: and unfinished business that is carried over temporarily which shall not be considered until all other matters herein have been considered.

AMENDMENT TABLED

On motion of Rep. Johnson (RW), the amendment offered by Rep. Carothers to the resolution, H. R. 515, was tabled.

Yeas 36; Nays 30.

Yeas:

Mr. Speaker, Adams, Beasley, Blake, Box, Breedlove, Britnell, Campbell, Carter, Curry, Dillard, Drake, Ford, Gaston, Gray, Hamilton, Hammett, Harper, Harvey, Headley, Hettinger, Hooper, Johnson (RW), Knight, Laird, Logan, Marks, Mathis, Melton, Parker, Penry, Perdue, Slaughter, Spratt, Venable and Zoghby.

—36

Nays:

Reps. Beers, Brooks, Bryant, Carothers, Crow, Faulk, Frazier, Goodwin, Grouby, Hall, Haynes, Higginbotham, Hogan, Holley, Johnson (RG), Kvalheim,

Lindsey, McKee, Mikell, Poole, Rains, Reed, Seibels, Starkey, Turner, Walker, Warren, White (F), Williams and Willis.

—30

AMENDMENT OFFERED

Rep. Kennedy offered the following amendment to the resolution, H. R. 515:

Amend H. R. 515 on page 1, line 14 by adding the following:

S. 536—By Sanders

AMENDMENT TABLED

On motion of Rep. Carter, the amendment offered by Rep. Kennedy to the resolution, H. R. 515, was tabled.

Yeas 36; Nays 29.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Blake, Britnell, Brooks, Campbell, Carothers, Carter, Curry, Dillard, Ford, Gray, Grouby, Hall, Hammett, Harvey, Headley, Hooper, Johnson (RW), Knight, Kvalheim, Laird, Logan, Marks, Mathis, McKee, Payne, Penry, Slaughter, Venable, White (F), White (G), White (L) and Wright.

—36

Nays:

Reps. Black, Blakeney, Box, Breedlove, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Clark (W), Crow, Goodwin, Grayson, Haynes, Holmes, Junkins, Kennedy, Lindsey, McClain, Moon, Newman, Parker, Perdue, Richardson, Spratt, Starkey, Williams, Willis and Zoghby.

—29

RESOLUTION ADOPTED

On motion of Rep. Carter, the resoluton, H. R. 515, was adopted.

SPECIAL ORDER

The House then proceeded with the consideration of the Special Order Calendar.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Clark (W), Budget Isolation Resolution relating to S. B. 447, was adopted.

Yeas 52; Nays 2.

Yeas:

Mr. Speaker, Beasley, Beers, Black, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JL), Butler, Carter, Crow, Curry, Drake, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Headley, Hettinger, Hill, Hogan, Hooper, Kennedy, Knight, Kvalheim,

Logan, Marks, Mathis, McClain, Moon, Parker, Payne, Perdue, Poole, Slaughter, Spratt, Starkey, White (G), Willis, Wright and Zoghby.

—52

Nays: Reps. Box and Turner. —2

PERMISSION GRANTED

Permission was granted for the Journal to show Reps. Marks, Dillard and Parker added as co-sponsors to the resolution, H. J. R. 497.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Ford, Budget Isolation Resolution relating to S. B. 706, was adopted.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Black, Blake, Breedlove, Brooks, Bryant, Bugg, Carothers, Carter, Cosby, Crow, Curry, Dillard, Ford, Frazier, Freeman, Gaston, Grouby, Hall, Hammett, Harper, Haynes, Headley, Hettinger, Hill, Hogan, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marks, McClain, McMillan, Parker, Payne, Perdue, Poole, Slaughter, Spratt, Venable, White (L), Willis and Wright.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 706. To fix the fee for the issuance of pistol permits in Etowah County; to provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund; to provide for the use of such fund; and to provide that this act shall be retroactive to January 19, 1987.

Was read a third time at length and passed.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Breedlove, Brooks, Bryant, Bugg, Carothers, Carter, Cosby, Crow, Curry, Dillard, Ford, Freeman, Gaston, Grouby, Hall, Hammett, Harper, Haynes, Headley, Hettinger, Hill, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marks, Mathis, McClain, McMillan, Parker, Payne, Penry, Perdue, Poole, Slaughter, Spratt, Venable, White (G), White (L), Willis and Zoghby.

—53

BUDGET ISOLATION RESOLUTION

On motion of Rep. Ford, Budget Isolation Resolution relating to S. B. 707, was adopted.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Breedlove, Brooks, Bryant, Bugg, Buskey (JL), Carothers, Carter, Cosby, Crow, Curry, Dillard, Ford, Frazier, Freeman, Gaston, Grouby, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Hill, Hogan, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marks, Mathis, McClain, McMillan, Moon, Newman, Parker, Payne, Penry, Perdue, Poole, Slaughter, Spratt, Venable, Walker, White (G), White (L), Willis, Wright and Zoghby.

—61

And the bill:

S. 707. Relating to Etowah County; providing for the distribution of fire protection net tax revenues generated pursuant to Amendment No. 445, Amendment of Amendment 432, which authorized the levy of such tax and the distribution to volunteer fire departments for such protection and services, so as to provide for the manner of such distribution together with any earned interest thereon.

Was read a third time at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blakeney, Breedlove, Brooks, Bugg, Buskey (JL), Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Drake, Ford, Frazier, Freeman, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Hill, Hogan, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Layson, Lindsey, Logan, Marks, Mathis, McClain, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Poole, Slaughter, Spratt, Venable, Walker, White (G), White (L), Willis, Wright and Zobhby.

—59

BUDGET ISOLATION RESOLUTION

On motion of Rep. White (G), Budget Isolation Resolution relating to S. B. 450, was adopted.

Yeas 36; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Black, Blakeney, Brooks, Bryant, Butler, Carter, Cosby, Curry, Dillard, Drake, Ford, Freeman, Hall, Hamilton, Hammett, Hettinger, Johnson (RW), Kennedy, Logan, Marks, McClain, McDowell, McMillan, Mikell, Moon, Parker, Payne, Penry, Poole, Slaughter, Venable, White (G) and Zoghby.

—36

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 450. Relating to Class I municipalities, to provide that the courts of this state shall take judicial notice of all municipal ordinances of such municipalities.

Was read a third time at length and passed.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Black, Blake, Blakeney, Breedlove, Brooks, Bryant, Burke, Butler, Carothers, Carter, Cosby, Crow, Curry, Dillard, Drake, Ford, Freeman, Gray, Grayson, Hall, Hamilton, Harper, Haynes, Hettinger, Hogan, Johnson (RG), Johnson (RW), Kennedy, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Parker, Payne, Penry, Poole, Seibels, Slaughter, Venable, Walker, White (G), White (L), Willis and Zoghby.

—54

BUDGET ISOLATION RESOLUTION

On motion of Rep. White (G), Budget Isolation Resolution relating to S. B. 713, was adopted.

Yeas 45; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Black, Blakeney, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Butler, Carter, Cosby, Dillard, Ford, Freeman, Gray, Grayson, Hall, Hamilton, Hammett, Hettinger, Johnson (RW), Junkins, Kennedy, Lindsey, Marks, McClain, McDowell, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Poole, Seibels, Venable, White (G), White (L), Wright and Zoghby.

—45

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 713. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, to make the provisions of the retirement and relief system of the City of Birmingham available to the employees of the Birmingham Airport Authority upon election of such coverage by the Birmingham Airport Authority.

Was read a third time at length and passed.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Black, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Butler, Carter, Cosby, Crow, Curry, Dillard,

Ford, Freeman, Gray, Grayson, Hall, Hamilton, Hammett, Hettinger, Johnson (RW), Junkins, Kennedy, Layson, Lindsey, Marks, McClain, McDowell, McMillan, Parker, Payne, Penry, Perdue, Poole, Seibels, Slaughter, Spratt, Venable, White (G), White (L), Willis, Wright and Zoghby.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Johnson (RW), Budget Isolation Resolution relating to S. B. 620, was adopted.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Butler, Carter, Curry, Dillard, Ford, Freeman, Gaston, Gray, Grayson, Hall, Hamilton, Hammett, Harper, Hettinger, Hogan, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McMillan, Mikell, Parker, Payne, Penry, Perdue, Poole, Slaughter, Venable, Walker, White (G), White (L) and Zoghby.

—53

And the bill:

S. 620. Relating to Tuscaloosa County; providing the tax assessor and tax collector of the county an additional expense allowance, payable from county funds; and providing further for the compensation of each such public office at the expiration of the respective terms of office of such incumbent officials.

Was read a third time at length and passed.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Burke, Butler, Carter, Cosby, Crow, Curry, Dillard, Drake, Ford, Frazier, Freeman, Gaston, Gray, Grayson, Hall, Hamilton, Hammett, Harper, Harvey, Hettinger, Hogan, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Layson, Lindsey, Marks, McClain, McDowell, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Poole, Slaughter, Spratt, Venable, Walker, White (G), Willis and Zoghby.

—58

BUDGET ISOLATION RESOLUTION

On motion of Rep. McKee, Budget Isolation Resolution relating to S. B. 396, was adopted.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Biddle, Black, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Butler, Carter, Crow, Curry, Drake, Faulk, Ford, Freeman, Gray, Grayson, Hall, Hamilton, Hammett, Harvey, Hettinger, Hogan, Hooper, Junkins, Knight, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Newman, Parker, Payne, Penry, Perdue, Slaughter, Spratt, Venable, White (G), White (L), Willis, Wright and Zoghby.

—55

S. 396 TEMPORARILY POSTPONED

On motion of Rep. McKee, consideration of the bill, S. 396, was temporarily postponed.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 164. To state the legislative intent; to amend §34-24-70; to require that the Board of Medical Examiners shall only approve certain off-shore medical schools if it finds that the medical education that is provided is substantially equivalent to that provided by medical schools in the United States and the District of Columbia; to authorize the Board of Medical Examiners to reject or not accept a diploma from any college of medicine which is not approved by the Board and to deny issuance of a certificate of qualification for licensure to practice medicine in Alabama to any individual holding such a diploma; to empower the Board to adopt, pursuant to the Alabama Administrative Procedure Act, all necessary rules, regulations, procedures, criteria, qualifications and guidelines as may be necessary to give effect to the provisions of this Act; to authorize the Board to prescribe a reasonable fee to cover cost and expenses of the evaluation of a college of medicine and require the payment of such fee to the Board; to establish the procedures required of such colleges to secure the required approval and to prescribe the interval for which such approval is granted and the interval at which such college which is denied approval may reapply for such approval; to establish that in any action for judicial review of a Board determination to approve or disapprove graduates of a college of medicine or based upon the exercise of authority granted by this Act, the reviewing court shall be bound by the determination of the Board for evaluating the quality of the medical education of the institution in question and shall uphold the determination of the Board unless the court finds the same to be unsupported by any facts or arbitrary or capricious; to provide that effective 180 days after the effective date of this act only applicants holding a degree from a college of medicine approved by the Board shall be issued a certificate of qualification; to provide that any portions of this act which are declared unconstitutional or void by any court of competent jurisdiction does not affect those parts remaining; to provide for repeal of all laws or parts of laws which conflict with this Act; to provide that this Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming law.

Also:

H. 167. Relating to Cullman County; authorizing branch banking.

Also:

H. 193. To amend Section 11-43-12.1 Code of Alabama 1975, as amended, to authorize municipal employees or board members of municipal boards, organized under statutory authority of or for such municipality, to deal with and transact business with the employer municipality on the same basis and under the same procedures as municipal officials are authorized to do under said Section.

Also:

H. 240. To amend §13A-6-3 of the Code of Alabama, 1975, to provide that manslaughter is a Class B felony.

Also:

H. 450. A bill to amend Section 4-3-45, Code of Alabama 1975, so as to provide for a Board of Directors for an Airport Authority of either three, five or seven members.

Also:

H. 478. To allow official court reporters who are in office on the effective date of this act to elect coverage in the employees' retirement system of Alabama; to provide the time in which the election shall be made; to provide that all official court reporters employed after the effective date shall automatically be included in the employees' retirement system; to provide for the purchase of up to five years prior service as an official court reporter as creditable service in the employees' retirement system; to amend Section 12-17-290 of the Code of Alabama 1975 so as to provide that a break in service as an official court reporter for the state of Alabama will not affect an official court reporter's eligibility for attaining supernumerary status; to amend Section 12-17-292 of the Code of Alabama 1975 so as to further provide for the salary for supernumerary circuit court reporters; and to provide that supernumerary court reporters' commissions shall be issued by the Secretary of State rather than the Chief Justice.

Also:

H. 631. To further amend Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, which said Act, as heretofore amended, established a pension system for officers and employees of Jefferson County, Alabama.

Also:

H. 687. Relating to Tuscaloosa County; to grant the West Tuscaloosa Community Health Center, Inc. the same rights, privileges and powers granted to Medical Clinic Boards established pursuant of Sections 11-58-1 et seq of the Code of Alabama 1975, and to Nonprofit Corporations established pursuant to 10-3A-1 et seq of the Code of Alabama 1975.

Also:

H. 762. To provide for an annual program of continuing education for municipal chiefs of police; to provide that chiefs who fail to comply with

this act shall be subject to having his certification revoked by the Alabama Peace Officers Standards and Training Commission.

Also:

H. 791. Relating to Morgan County; further amending Section 2 of Act No. 80-167, S. 299, Regular Session 1980 (Acts 1980, p. 245), as amended, relating to the distribution of payments by Tennessee Valley Authority in lieu of ad valorem taxes, so as to provide that the period for the present distribution formula shall remain in effect henceforth.

Also:

H. 948. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hammondville, in DeKalb County.

Also:

H. 949. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Fort Payne, in DeKalb County.

Also:

H. 990. Relating to Tallapoosa County; to alter, rearrange and extend the boundary lines and corporate limits of the City of New Site in said county.

Also:

H. 992. Relating to Jackson County; authorizing the county commission to levy a lodging tax; providing for the collection and distribution of said tax; and particularly authorizing the county commission to give up to one (1) cent of the net proceeds of such tax to the Scottsboro-Jackson County Heritage Center.

Also:

H. 1001. Relating to Shelby County, to amend Act 82-693, 1982 2nd Special Session (Acts of Alabama for the 1st, 2nd, 3rd Special Sessions of 1982, p. 144) as amended, so as to remove the requirement that members of the Shelby County Planning Commission shall be a free-holder in the county.

Also:

H. 1038. Relating to the Tenth Judicial Circuit in Jefferson County; to amend Section 6 of Act No. 75-523, H. 121, Regular Session 1975 (Acts 1975, p. 1174), relating to the appointment, duties and compensation of deputy district attorneys, so as to provide further that the chief deputy district attorney and each of the five deputy district attorneys at Levels #1, #2 and #3 shall be paid according to the amended schedule of salaries.

Also:

H. 1046. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Roanoke, in Randolph County.

Also:

H. 1051. Relating to Montgomery County; to allow persons with certain equitable interest in real estate located in the county to be released from

legal custody following arrest and to sign his own recognizance bond for court appearance.

Also:

H. 1065. To alter, rearrange and extend the boundaries and corporate limits of the city of Bessemer, Alabama, so as to incorporate certain territory as described herein.

Also:

H. 1073. Relating to Baldwin County; regulating construction setback from the rights-of-way of any public highways, state or county, located outside the corporate limits of any municipality in Baldwin County, and the construction or erection of any outdoor signs, advertising or permanent improvements thereon; providing for an appeal process and certain exceptions; authorizing the county planning and zoning commission to issue certain rules and regulations necessary for the implementation of this act; and prescribing that the provisions of this act shall be cumulative to any and all other provisions of law relating to public roads and bridges in Baldwin County, except to the extent there is a direct conflict herewith.

Also:

H. 1108. To alter or rearrange the boundary lines of the City of Enterprise, Coffee County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Coffee County, Alabama.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker Pro Tem of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 265. AMENDING SENATE JOINT RESOLUTION 18 OF THE ORGANIZATIONAL SESSION 1987 (ACT 87-19) THAT CREATED AN INTERIM COMMITTEE ON FINANCES AND BUDGETS TO ALLOW THE APPOINTMENT OF SUB-COMMITTEES.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker Pro Tem of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 46. To require a grand jury investigation upon the recommendation of the Conservation Department of any hunting death involving a gun or bow and arrow when such accident results in death and when such death is caused by one person against another; and to require further that all such accidents be reported within 72 hours to the office of the Director of the Game and Fish Division of the Department of Conservation and Natural Resources, by the Coroner and the Sheriff's Department of the county in which the death occurred.

Also:

H. 533. To reopen the Teachers' and Employees' Retirement Systems of Alabama for purchase of certain service credit and military service credit; to provide that as a prerequisite to obtaining such credit, said members must be active and contributing members of the Employees' Retirement System of Alabama or the Teachers' Retirement System of Alabama; to provide that this act shall take effect October 1, 1987, and to provide for its termination on October 1, 1988.

Also:

H. 1053. Relating to Baldwin County; to authorize the Baldwin County Commission to impose excise taxes on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county; to provide for the collection and payment of such taxes and to provide the distribution and the use of the funds derived therefrom; to authorize the Baldwin County Commission to make reasonable rules and regulations for the collection of such taxes, and to provide the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Baldwin County Commission for the collection of said taxes.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker Pro Tem of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum

present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Lindsey:

H. R. 516. COMMENDING ARTHUR W. WILSON FOR DISTINGUISHED SERVICE ON THE CHEROKEE COUNTY DEMOCRATIC COMMITTEE.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 263. To amend Act No. 86-645, Acts of Alabama, First Extraordinary Session, 1986, by repealing Section 2 of said Act; and to provide for the transfer back of funds heretofore transferred from the state insurance fund pursuant to Act No. 86-645, by the State Finance Director with approval of the Governor.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced and distributed according to Joint Rule 11:

By Rep. McClain:

H. R. 517. COMMENDING ANN BAS, DISABILITY EXAMINER STATE DEPARTMENT OF EDUCATION.

Also:

By Rep. McClain:

H. R. 518. COMMENDING BARBARA FOX JONES OF FAIRFIELD, ALABAMA.

SPECIAL ORDER RESUMED

And the bill:

S. 396. To amend Sections 40-23-61 and 40-23-63, Code of Alabama 1975, to provide that any overcollection of use tax by a retailer from the customer is to be paid over to the state and not retained by the retailer as a windfall to enhance the net profits of the business.

Which previously was temporarily postponed, was read a third time at length and passed.

Yeas 57; Nays 12.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Britnell, Bryant, Bugg, Campbell, Carothers, Carter, Cosby, Crow, Curry, Dillard, Faulk, Flowers,

Ford, Freeman, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Harvey, Haynes, Headley, Higginbotham, Hill, Hooper, Johnson (RG), Knight, Kvalheim, Laird, Logan, McClain, McKee, McMillan, Mikell, Moon, Payne, Penry, Poole, Reed, Seibels, Slaughter, Starkey, Turnham, Warren, White (F), White (G), Williams, Wright and Zoghby.

—57

Nays:

Reps. Blakeney, Bowling, Brooks, Frazier, Hogan, Holley, Johnson (RW), Mathis, Parker, Rains, Walker and Willis.

—12

BUDGET ISOLATION RESOLUTION

On motion of Rep. McKee, Budget Isolation Resolution relating to S. B. 397, was adopted.

Yeas 51; Nays 4.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Blake, Britnell, Brooks, Bryant, Crow, Curry, Dillard, Freeman, Goodwin, Gray, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Hill, Hogan, Johnson (RG), Junkins, Kvalheim, Laird, Logan, McClain, McKee, McMillan, Moon, Payne, Penry, Poole, Reed, Richardson, Seibels, Slaughter, Starkey, Venable, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—51

Nays: Reps. Blakeney, Cosby, Holley and Walker. —4

And the bill:

S. 397. (With Substitute): To amend Sections 40-23-2 and 40-23-37, Code of Alabama 1975, to provide that any overcollection of sales tax by a retailer from the customer is paid over to the state and not retained by the retailer as a windfall to enhance the net profits of the business.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

This bill amends Section 40-23-26, Code of Alabama 1975 to provide that any over collection of sales tax by a retailer from the customer is paid over to the state and not retained by the retailer as a windfall to enhance the net profits of the business, unless such over collection results solely from rounding the correct amount of tax upward to the nearest cent.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 40-23-26, Code of Alabama 1975 is hereby amended to read as follows:

"§40-23-26. (a) Every person, firm, corporation, association or copartnership engaged in or continuing within this state in the business for which

a license or privilege tax is required by this division shall add to the sales price and collect from the purchaser on all sales upon the gross receipts or gross proceeds of which there is levied by this division a sales tax at the rate of four percent, $.04 tax for each whole dollar of sales price; provided, that on that part of the sales price which is a fractional part of a dollar, in addition to whole dollars, and on sales of less than a dollar there shall be collected in addition to the tax collected on whole dollars, no tax on $.01 to and including $.10 of sales price, $.01 tax on $.11 to and including $.30 of sales price, $.02 tax on $.31 to and including $.54 of sales price, $.03 tax on $.55 to and including $.73 of sales price, and $.04 tax on $.74 to and including $.99 of sale price. Upon sales the gross receipts or gross proceeds of which are taxed by this division at a rate less than four percent, there shall be added to the sales price and collected from the purchaser by such person, firm, corporation, association or copartnership described in this section an amount equal to the prescribed percentage of such sales price.

(b) It shall be unlawful for any person, firm, corporation, association or copartnership described in this section to fail or refuse to add to the sales price and collect from the purchaser the amount required by this section to be so added to the sales price and collected from the purchaser; and it shall likewise be unlawful to refund or offer to refund all or any part of the amount collected, or to absorb or advertise directly or indirectly the absorption or refund of the amount required to be added to the sales price and collected from the purchaser, or any portion of such amount. Any person, firm, corporation, association or copartnership violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined in a sum of not less than $50.00 nor more than $100.00, or may be imprisoned in the county jail for not more than six months, or may be punished by both such fine and imprisonment, and each act in violation of the provisions of this division shall constitute a separate offense. The provisions of this section that there shall be added to the sale price and collected from the purchaser the amounts provided herein shall in no way relieve the person, firm, corporation, association or copartnership described in this section of the tax levied by this article; nor shall the inability, impracticability, refusal or failure to add to the sales price and collect from the purchaser the amounts provided herein relieve such person, firm, corporation, association or copartnership from the tax levied by this division.

(c) All taxes paid in pursuance to this division or any other statute enacted in this connection shall conclusively be presumed to be a direct tax on the retail consumer, precollected for the purpose of convenience and facility only.

(d) In the event that any sum is collected from a consumer that purports to be collected because of this section, whether or not the amount is actually provided for hereunder, then any such sum, except such as is collected solely because of rounding the correct amount of tax upward to the nearest cent, shall be paid to the department of revenue for the purposes provided in §40-23-35.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective on the first day of the second month following its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blake, Box, Britnell, Brooks, Bryant, Bugg, Burke, Butler, Carothers, Carter, Cosby, Crow, Curry, Dillard, Faulk, Freeman, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Higginbotham, Hill, Johnson (RG), Junkins, Knight, Kvalheim, Laird, Logan, McClain, McKee, McMillan, Mikell, Moon, Newman, Payne, Poole, Reed, Richardson, Seibels, Slaughter, Starkey, Venable, Warren, White (F), White (G), White (L), Williams, Willis and Wright.

—60

And the bill, S. 397 as amended, was read a third time at length and passed.

Yeas 52; Nays 19.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Blake, Box, Britnell, Bryant, Carothers, Carter, Cosby, Crow, Curry, Dillard, Flowers, Ford, Freeman, Goodwin, Gray, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Hettinger, Hill, Knight, Kvalheim, Laird, Logan, Marks, McClain, McKee, McMillan, Payne, Penry, Reed, Richardson, Seibels, Slaughter, Starkey, Turner, Venable, Warren, White (F), White (G), White (L), Williams, Wright and Zoghby.

—52

Nays:

Reps. Blakeney, Bowling, Brooks, Butler, Frazier, Gaston, Hogan, Holley Johnson (RG), Johnson (RW), Junkins, Mathis, Moon, Newman, Parker, Poole, Rains, Walker and Willis.

—19

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 680.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to S. B. 680, was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Blake, Blakeney, Box, Britnell, Brooks, Bryant, Butler, Campbell, Carothers, Carter, Cosby, Crow, Curry, Dillard, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Hettinger, Hill, Hogan, Holley,

Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Starkey, Turner, Venable, Walker, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—77

And the bill:

S. 680. To make appropriations from the Alabama Special Educational Trust Fund to the United Cerebral Palsy of Alabama and the United Cerebral Palsy Development Center for East Central Alabama and from the State General Fund for the Simpson-May Cerebral Palsy Center for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Hettinger, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Starkey, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—84

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 641.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to S. B. 641, was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blake, Blakeney, Bowling, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Starkey, Thomas, Turner,

Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—87

And the bill:

S. 641. To make an appropriation from the Alabama Special Educational Trust Fund and the State General Fund for the fiscal year 1987-88, for the use of a sickle cell education program, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Curry, Dillard, Faulk, Ford, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Starkey, Thomas, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—87

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 671.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to S. B. 671, was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Starkey, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—90

And the bill:

S. 671. (With Substitute): To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal

year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1988, the sum of One Million One Hundred and Forty-seven Thousand Five Hundred Dollars ($1,147,500), out of the funds in the Alabama Special Educational Trust Fund, to be used for the support and maintenance of the Special Schools for Special Education and to be distributed by the State Board of Education as follows:

(a)	Butler County Training School for the Mentally Retarded in Greenville	$22,500
(b)	Hope Haven School in Colbert County	$22,500
(c)	Montgomery Institute of Neurological Development	$22,500
(d)	Birmingham Training Center for Brain-Injured Children	$31,500
(e)	Houston County Board of Education for the Vaughn-Blumberg Center for the Developmentally Disabled	$45,000
(f)	Alice Pigman School	$67,500
(g)	Geneva County Day Care and Training Center	$45,000
(h)	McGraw Activity Center	$45,000
(i)	Dallas County Day Care and Training Center	$45,000
(j)	Calhoun County Community—"EDUCATION PAR EXCELLENCE"	$45,000
(k)	North Talladega County Association for Retarded Citizens, Inc.	$22,500
(l)	South Talladega County Association for Retarded Citizens, Inc.	$22,500
(m)	ECHO FOUNDATION	$13,500
(n)	Vivian B. Adams School	$247,500
(o)	McInnis School of Montgomery	$360,000
(p)	Alan Cott School	$90,000

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1987-88, an operations plan for fiscal year 1986-87 and an audited financial statement for all operations during fiscal year 1985-86 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1987-88 funds following receipt of these reports.

SECTION 3. This Act shall become effective October 1, 1987.

And the substitute was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Ford, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—91

And the bill, S. 671 as amended, was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Breedlove, Britnell, Brooks, Bryant, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Escott, Faulk, Flowers, Ford, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—92

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 676.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to S. B. 676, was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Britnell, Brooks, Bryant, Buskey (JE), Buskey (JL), Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Kennedy, Knight, Kvalheim, Laird, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—88

And the bill:

S. 676. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama League for Advancement of Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Slaughter, Spratt, Starkey, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—94

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 536.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harper, Budget Isolation Resolution relating to S. B. 536, was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler,

Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—93

And the bill:

S. 536. (With Amendment): To require the state to provide subsidized child day-care services for a certain minimum number of eligible children, and to provide for a conditional, supplemental appropriation for fiscal year beginning October 1, 1987, for a certain amount of additional eligible children.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Senate Bill 536 on page 1, line 28 by striking the words "general fund" and inserting in lieu thereof the following words:

Alabama Special Educational Trust Fund

Further amend Senate Bill 536 on page 1, line 32 by striking the word "Education" and inserting in lieu thereof the following word:

Educational

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blakeney, Bowling, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Davis, Dillard, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—93

And the bill, S. 536 as amended, was read a third time at length and passed.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—96

REPORT OF CONFERENCE COMMITTEE

We, the Committee on Conference, appointed to reconcile the differences of the two houses concerning House Bill 269, have met in conference and have agreed to accept the attached substitute which is made a part of this report as is fully set out herein.

TAYLOR F. HARPER,
JAMES S. CLARK,
BILL FULLER,
Conferees on the Part of the House.

FRED HORN,
LOWELL BARRON,
RYAN deGRAFFENRIED, JR.,
Conferees on the Part of the Senate.

A BILL
TO BE ENTITLED
AN ACT

To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1988.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. There is hereby appropriated for the support of public education in Alabama for the fiscal year ending September 30, 1988, and for the public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 to 5 of this Act. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs is shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, "ASETF" shall mean the Alabama Special Educational Trust Fund.

SECTION 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and Alabama Special Educational Trust Fund Surplus, Special Mental Health Trust Fund, Alabama Peace Officers' Standards

and Training Fund, and Public School Fund and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1988, and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Code of Alabama 1975, as amended, Sections 41-4-80 through 41-4-96), the provisions of The Budget Management Act of 1976 (Code of Alabama 1975, as amended, Sections 41-19-1 through 41-19-12), and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Trust Funds" and "Appropriation Total" are as set forth for the purpose of indicating amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for an efficient use of funds available to and hereby appropriated by the Legislature, it being the intention hereof to make appropriations only from the funds referred to in subsection (a) of this Section 2. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

	Fund Sources Included In Appropriation Total		
	ASETF	Trust Funds	Appropriation Total
SECTION 3.			
A. STATE AGENCIES:			
1. DATA SYSTEMS MANAGEMENT DIVISION, DEPARTMENT OF FINANCE-:			
(a) Administrative Support Services Program			7,000,000
This appropriation is to be expended for capital outlay and operation and maintenance of the supercomputer.			
SOURCE OF FUNDS:			
(1) ASETF	7,000,000		
Total Department of Finance-Data Systems Management Division	7,000,000		7,000,000
2. DEBT SERVICE:			
(a) Debt Service Program			649,708
For interest on Endowments as follows:			
For interest on University of Montevallo (Alabama College) Endowment, Estimated 34,964			
For interest on Auburn University Endowment 20,280			
For interest on University of Alabama Endowment 61,000			

For interest on Grove Hill Endowment 600			
For interest on Public School Fund Endowment:			
Interest on 16th Section Lands, Estimated 410,000			
Interest on School Indemnity Lands, Estimated 90,000			
Interest on Valueless 16th Section Lands 5,825			
Interest on Surplus Revenue 26,764			
Interest on James Wallace Fund 275			
Total Interest on Public School Fund Endowment 532,864			
SOURCE OF FUNDS:			
(1) ASETF	649,708		
Total Debt Service	649,708		649,708
3. DENTAL SCHOLARSHIP AWARDS, BOARD OF:			
(a) Support of Other Educational Activities Program			176,000
SOURCE OF FUNDS:			
(1) ASETF	176,000		
Total Board of Dental Scholarship Awards	176,000		176,000
To be expended under the provisions of Code of Alabama 1975, as amended, Sections 16-47-76 through 16-47-81.			
4. EDUCATION, DEPARTMENT OF:			
(a) Administrative Services Program			11,655,704
The proposed spending plan for the ASETF monies included in the above program is as follows:			
Compact for Education 44,000			
Operations and Maintenance of Department 1,974,336			
Leadership and Management and Pilot Study on Funding Formulas 300,000			
SOURCE OF FUNDS:			
(1) ASETF	2,318,336		
(2) Federal and Local Funds		9,337,368	

Total Administrative Services Program	2,318,336	9,337,368	11,655,704
(b) Adult Basic Education/Community Education Program			5,417,811
The ASETF monies included in the above program are to be distributed by the Department of Education as follows:			
Adult Basic Education 2,323,617			
Community Education 576,828			
SOURCE OF FUNDS:			
(1) ASETF	2,900,445		
(2) Federal and Local Funds		2,517,366	
Total Adult Basic Education/Community Education Program	2,900,445	2,517,366	5,417,811
(c) Financial Assistance Program			235,352,376
The proposed spending plan for the ASETF monies included in the above program is as follows:			
Elementary Teachers Scholarships 23,760			
To be paid in accordance with Code of Alabama 1975, as amended, Section 16-23-17.			
SOURCE OF FUNDS:			
(1) ASETF	23,760		
(2) Federal and Local Funds		235,328,616	
Total Financial Assistance Program	23,760	235,328,616	235,352,376
(d) Instructional Technical Assistance Program			9,742,744
The proposed spending plan for the ASETF monies included in the above program is as follows:			
Basic Skills Program 949,215			
Early Childhood Education Administration 97,998			
Instructional Technical Assistance 1,283,181			
Special Education Administration 400,902			
Vocational Education Administration 811,153			
SOURCE OF FUNDS:			
(1) ASETF	3,542,449		
(2) Federal and Local Funds		6,200,295	

Total Instructional Technical Assistance Program	3,542,449	6,200,295	9,742,744
(e) Local Agency Support Program			18,915,981
The proposed spending plan for the ASETF monies included in the above program is as follows:			
Advanced Placement 468,891			
Career Incentive Program 468,891			
Driver Education, School Bus Driver Training and Vehicle Safety Inspection 249,450			
Free Textbooks 13,306,151			
Guidance and Counseling 150,000			
Operations and Maintenance 448,953			
School Attendance 76,204			
School Facilities and Architectural Services 196,934			
Testing 1,409,464			
SOURCE OF FUNDS:			
(1) ASETF	16,774,938		
(2) Federal and Local Funds		2,141,043	
Total Local Agency Support Program	16,774,938	2,141,043	18,915,981
(f) Regulation Program			1,954,922
The proposed spending plan for the ASETF monies included in the above program is as follows:			
Operations and Maintenance 306,027			
Teacher Certification and Accreditation 385,851			
Undergraduate/Graduate Program Approval 251,232			
SOURCE OF FUNDS:			
(1) ASETF	943,110		
(2) Federal and Local Funds		1,011,812	
Total Regulation Program	943,110	1,011,812	1,954,922
(g) Support of Other Educational Activities Program			8,839
The proposed spending plan for the ASETF monies included in the above program is as follows:			
Education of Dependents of Blind Parents 8,839			

SOURCE OF FUNDS:			
(1) ASETF	8,839		
Total Support of Other Educational Activities Program	8,839		8,839
For reimbursement of every state institution of higher learning, college, university, or technical college or junior college in which benefits are given to dependents of blind parents under the provisions of Code of Alabama 1975, as amended, Sections 16-33-1 through 16-33-12.			
(h) Support of State Universities Program			50,000
SOURCE OF FUNDS:			
(1) Federal and Local Funds		50,000	
Total Support of State Universities Program		50,000	50,000
TOTAL DEPARTMENT OF EDUCATION:			
SOURCE OF FUNDS:			
(1) ASETF	26,511,877		
(2) Federal and Local Funds		256,586,500	
GRAND TOTAL DEPARTMENT OF EDUCATION	26,511,877	256,586,500	283,098,377
5. EDUCATION, STATE BOARD OF-MINIMUM PROGRAM AND PUBLIC SCHOOL FUND:			
(a) Financial Assistance Program			616,367,395
SOURCE OF FUNDS:			
(1) ASETF	566,690,910		
(2) Public School Fund		45,000,000	
(3) Local Funds		4,676,485	
Total Minimum Program, Public School Fund and Local Funds	566,690,910	49,676,485	616,367,395
The above appropriation shall be paid in accordance with Code of Alabama 1975, as amended, Sections 16-13-50 through 16-13-59, and all other legislation pertaining thereto.			

The appropriation hereinabove set out for the fiscal year 1987-88 is based on 22,640 teacher units. It is provided in the event that there are more than 22,640 earned teacher units for the fiscal year 1987-88, then such amounts necessary to pay for these excess teacher units are hereby appropriated. It is further provided that in the event that there be less earned teacher units than those set out above, then the amount that would have

been necessary to pay for these earned teacher units shall not be allotted or paid. It is further provided that in the event that there be less than $45,000,000 available from the Public School Fund for the fiscal year 1987-88, then such amount necessary to pay any such shortfall in the Public School Fund monies is hereby appropriated from the ASETF.

In allocating the funds in subsection (a) the State Board of Education shall allot as follows:

For "Board of Adjustment" awards in accordance with the Minimum Program statutes and regulations an amount not to exceed $150,000.

For "Salaries" the total shall not exceed the sum of $473,533,768. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of TU	Total
AA	$22,812	3,289.59	$ 75,042,127
I	21,359	13,986.99	298,748,119
II	18,597	5,363.42	99,743,522
III	15,658	0.00	0
IV	13,598	0.00	0
		22,640.00	$473,533,768

For "Principal Supplement" an amount not to exceed $100 for each earned teacher unit but the total shall not exceed the sum of $2,264,000.

For "Other Current Expense" an amount not to exceed $3,933.35 for each earned teacher unit but the total shall not exceed the sum of $89,051,044. It is the intent of the Legislature that all lunchroom workers' salaries be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed $58.50 for each earned teacher unit but the total shall not exceed the sum of $1,324,440.

The above appropriation contained in subsection (a) shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but the total shall not exceed the sum of $50,044,143.

6. EDUCATION, STATE BOARD OF-LOCAL BOARDS:		
(a) Financial Assistance Program		446,960,912
SOURCE OF FUNDS:		
(1) ASETF	446,960,912	
Total State Board of Education-Local Boards	446,960,912	446,960,912

To be distributed by the State Board of Education for:

(1) Teachers' Sick Leave 4,335,405

Of the appropriation hereinabove made for Teachers' Sick Leave, the rate of not more than $20.50 per day is hereby appropriated. It is the intent

of the Legislature that the rate of local supplements paid by each school system for teachers' sick leave for the 1985-86 fiscal year be continued at that rate through the 1987-88 fiscal year. The above appropriation shall be in addition to any local supplements paid for teachers' sick leave within a system.

(2) Support Personnel Sick Leave 1,769,017

Of the appropriation hereinabove made for Support Personnel Sick Leave, in accordance with Code of Alabama 1975, as amended, Section 16-1-18, the rate of not more than $17 per day is hereby appropriated.

(3) Teachers' Personal Leave 1,086,095

The appropriation hereinabove made for Teachers' Personal Leave provides for two (2) days personal leave at the rate of not more than $20.50 per day per teacher unit for each teacher employed (except for ECIA Chapter 1 and 2 teachers). It is the intent of the Legislature that the rate of local supplements paid by each school system for teachers' personal leave for the 1985-86 fiscal year be continued at that rate through the 1987-88 fiscal year. The above appropriation shall be in addition to any local supplements paid for teachers' personal leave within a system.

(4) Support Personnel Personal Leave 537,561

The appropriation hereinabove made for Support Personnel Personal Leave, in accordance with the provisions of Code of Alabama 1975, as amended, Section 16-8-26.1, provides for two (2) days personal leave at the rate of not more than $17 per day.

(5) Classroom Instructional Supplies 10,934,575

Of the appropriation hereinabove made for Classroom Instructional Supplies there is hereby appropriated an amount not to exceed two hundred seventy-seven dollars ($277) per

teacher unit for grades K-12 for all teachers employed (except ECIA Chapter 1 and 2 teachers). Notwithstanding the provisions of Code of Alabama 1975, as amended, Section 16-13-40, the above appropriation of $10,934,575 shall be expended solely for the purchase of instructional supplies to be used in the classrooms within each public school system. Each local school superintendent shall submit a notarized affidavit to the State Department of Education certifying that funds appropriated in this section have been expended only for instructional supplies or instructional equipment for classrooms as provided and required in Section 16-13-13, Code of Alabama, 1975, as amended. On the affidavit, the superintendent shall state the amount of funds expended for use by classroom teachers and the amount of funds expended for collective purchases for instructional purposes. The affidavit of expenditures shall be subject to audit by the Examiners of Public Accounts. Any person expending funds not in compliance with this appropriation or Section 16-13-13, Code of Alabama, 1975, as amended, or falsifying certification of expenditures, shall be guilty of a Class A misdemeanor. Any funds appropriated herein and not expended for said purpose by any school system shall revert to the Alabama Special Educational Trust Fund. In the event proration is declared in the Alabama Special Educational Trust Fund, each local school system shall expend at least 50% of its allocation of the above appropriation for instructional supplies notwithstanding the provisions of Code of Alabama 1975, as amended, Section 16-13-144.

(6) Maintenance 6,398,059

(7) Continuation of Funds Previously Granted for Special Education 23,900,161

Of the appropriation hereinabove made, $500,000 shall be allocated to the Chauncey Sparks Center for Developmental and Learning Disorders.

(8) Special Schools for Special Education 1,651,500

To be distributed by the State Board of Education as follows: $450,000 shall be allocated to the Tuscaloosa Regional Handicapped School, a portion of which shall be used to relocate the county school bus shop and $20,000 of which shall be used for Alberta City Summer Program for Mentally Retarded; $45,000 shall be allocated to the Regional Center for Handicapped Children in Pickens County; $405,000 shall be allocated to the Southwest Alabama School for Deaf and Blind; $22,500 shall be allocated to the Jasper Shriner School; $67,500 shall be allocated to Coffee County Board of Education-Project Independence; $38,700 shall be allocated to Auburn University Preschool for Multi-handicapped Children; $67,500 shall be allocated to the Montgomery County Board of Education for the purpose of establishing a pilot program for deaf students in public schools; $90,000 shall be allocated to the Special Education School in Vinemont in Cullman County; $135,000 shall be allocated to the Dothan City Board of Education for a pilot program for gifted children; $27,000 shall be allocated to the Houston County Board of Education for a pilot program for gifted children; $90,000 shall be allocated to Cullman City Special Education Program; $67,500 shall be allocated to the Cleveland School for the Handicapped; $15,300 shall be allocated to the Tannehill Learning Center; $130,500 shall be allocated to the Alabama Institute for Deaf and Blind to implement the purposes of Code of Alabama 1975, as amended, Section 16-39-3, and P.L. 94-142.

(9) Kindergarten Teacher Units 61,504,257

The above appropriation is for 2,561 teacher units and includes salaries, other current expense, and capital improvements at the following rates:

For "Salaries" the total shall not exceed the sum of $51,281,129. The State Board of Education shall have the discretion to redistribute the number

of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of TU	Total
AA	$22,812	128.56	$ 2,932,711
I	21,359	1,126.84	24,068,175
II	18,597	1,305.60	24,280,243
		2,561.00	$51,281,129

For "Other Current Expense" an amount not to exceed $3,933.35 for each earned teacher unit but the total shall not exceed the sum of $10,073,309. It is the intent of the Legislature that all lunchroom workers' salaries be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed $58.50 for each earned teacher unit but the total shall not exceed the sum of $149,819.

Of the above appropriation for Kindergarten Teacher Units, twelve (12) units shall be allocated to the Alabama Institute for Deaf and Blind for the Preschool Deaf and Blind Program.

It is the intent of the Legislature to fully fund a statewide kindergarten program at the ratio of twenty (20) students in average daily attendance for the first four (4) months to one (1) teacher unit. In the event less than 2,561 teacher units are earned for the fiscal year 1987-88, then such amount shall not be allotted or paid. In the event more than 2,561 teacher units are earned for the fiscal year 1987-88, then such amounts necessary to pay for these excess teacher units are hereby appropriated.

(10) Continuation of Teacher Units to reduce pupil-teacher ratio in grades 1-6 15,812,342

The above appropriation is for 650 teacher units and includes salaries, other current expense, and capital improvements at the following rates:

For "Salaries" the total shall not exceed the sum of $13,217,639. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of TU	Total
AA	$22,812	93.02	$ 2,121,972
I	21,359	267.02	5,703,280
II	18,597	289.96	5,392,387
		650.00	$13,217,639

For "Other Current Expense" an amount not to exceed $3,933.35 for each earned teacher unit but the total shall not exceed the sum of $2,556,678. It is the intent of the Legislature that all lunchroom workers' salaries be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed $58.50 for each earned teacher unit but the total shall not exceed the sum of $38,025.

(11) Teacher Units to Reduce Pupil-Teacher Ratio in Grade 1 2,676,003

The above appropriation is for 110 teacher units and includes salaries, other current expense, and capital improvements at the following rates:

For "Salaries" the total shall not exceed the sum of $2,236,899. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of TU	Total
AA	$22,812	15.75	$ 359,289
I	21,359	45.20	965,427
II	18,597	49.05	912,183
		110.00	$2,236,899

For "Other Current Expense" an amount not to exceed $3,933.35 for each earned teacher unit but the total shall not exceed the sum of $432,669. It is the intent of the Legislature that all lunchroom workers' salaries be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed $58.50 for each earned teacher unit but the total shall not exceed the sum of $6,435.

(12) Supportive Teacher Units 42,832,521

The above appropriation provides for one extra unit or fraction thereof for each aggregate of fifteen (15) units or fraction thereof earned on regular units in the Minimum Program, Kindergarten Teacher Units in (9) and Continuation Teacher Units in (10). The above appropriation is for 1,724 teacher units and includes salaries, other current expense, and capital improvements at the following rates:

For "Salaries" the total shall not exceed the sum of $35,950,572. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of TU	Total
AA	$22,812	300.84	$ 6,862,762
I	21,359	949.06	20,270,972
II	18,597	474.10	8,816,838
		1,724.00	$35,950,572

For "Other Current Expense" an amount not to exceed $3,933.35 for each earned teacher unit but the total shall not exceed the sum of $6,781,095.

It is the intent of the Legislature that all lunchroom workers' salaries be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed $58.50 for each earned teacher unit but the total shall not exceed the sum of $100,854.

(13) Special Education Teacher Units 88,010,146

The above appropriation is for 3,500 teacher units and includes salaries, other current expense, capital improvements and transportation at the following rates:

For "Salaries" the total shall not exceed the sum of $73,275,471. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of TU	Total
AA	$22,812	288.05	$ 6,570,997
I	21,359	2,524.20	53,914,387
II	18,597	687.75	12,790,087
		3,500.00	$73,275,471

For "Other Current Expense" an amount not to exceed $3,933.35 for each earned teacher unit but the total shall not exceed the sum of $13,766,725. It is the intent of the Legislature that all lunchroom workers' salaries be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed $58.50 for each earned teacher unit but the total shall not exceed the sum of $204,750.

For "Transportation" the total shall not exceed $763,200.

(14) Driver Education Teacher Units 7,199,879

The above appropriation is for 290 driver education units or other teacher units as approved by the local Board of Education and includes salaries, other current expense, and capital improvements at the following rates:

For "Salaries" the total shall not exceed the sum of $6,042,242. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of TU	Total
AA	$22,812	19.00	$ 433,428
I	21,359	206.02	4,400,381
II	18,597	64.98	1,208,433
		290.00	$6,042,242

For "Other Current Expense" an amount not to exceed $3,933.35 for each earned teacher unit but the total shall not exceed the sum of $1,140,672.

It is the intent of the Legislature that all lunchroom workers' salaries be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed $58.50 for each earned teacher unit but the total shall not exceed the sum of $16,965.

(15) Vocational
Education 74,732,195

The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with rules and regulations approved by the State Board of Education upon the recommendation of the State Superintendent. Of the above appropriation, $1,344,187 shall be allocated for handicapped students in Vocational Education and $1,097,892 shall be allocated for disadvantaged students in Vocational Education. Of the above appropriation, $175 shall be allotted to each vocational teacher unit funded herein for support and operations. Notwithstanding the provisions of Code of Alabama 1975, as amended, Section 16-13-40, of the above appropriation, $499,100 shall be expended solely for vocational support and instructional supplies. Each local school superintendent shall submit a notarized affidavit to the State Department of Education certifying that funds appropriated in that section have been expended only for vocational support and instructional supplies. On the affidavit, the superintendent shall state the amount of funds expended for use by vocational teachers and the amount of funds expended for collective purposes for vocational purchases for vocational and instructional supplies. The affidavit of expenditures shall be subject to audit by the Examiners of Public Accounts. Any person expending funds not in compliance with this appropriation or Section 16-13-13, Code of Alabama, 1975, as amended, or falsifying certification of expenditures, shall be guilty of a Class A misdemeanor. Any of the $499,100 appropriated herein and not expended for vocational support and supplies by any school system shall revert to the Alabama Special Educational Trust Fund. In the event proration is declared in the Alabama Special Educational Trust Fund, each local school system shall expend at least 50% of its allocation of the $499,100 appropriated herein for support and instructional supplies notwithstanding the provisions of Code of Alabama 1975, as amended, Section 16-13-144.

(16) Teachers' Free Time ... 3,500,000

To be distributed by the State Board of Education to all local boards of education and the Alabama Institute for Deaf and Blind on the basis of average daily attendance for the preceding school year to employ teacher aides so as to provide each teacher employed a minimum of thirty minutes of time free from instructional or supervisory responsibilities each teaching day.

(17) Career Ladder Salary Increases for Tenured Teachers (Estimated) 67,065,303

To be distributed by the State Board of Education to the boards of all

school districts to continue the additional salary allotment of ten percent of those allotments specified under the Minimum Program for the fiscal year 1984-85 for all state-funded teacher units meeting criteria established by the State Board of Education.

(18) Support Personnel Salary Increase (Estimated) 25,129,090

To be distributed by the State Board of Education to the boards of all school districts to continue those salary increases and the state's share of salary schedule adjustments granted for fiscal year 1985-86 to all full-time support personnel and all adult and student school bus drivers of all local boards of education and all full-time support personnel and all adult and student school bus drivers in the schools under their jurisdiction with the exception of those persons listed on the official Teachers' Institute List. Full-time support personnel shall be defined as those support personnel working a minimum of 20 hours per week. Pursuant to Act 85-516 and Act 85-796, those support personnel working less than a minimum of 20 hours per week shall receive pro rata increases based on the percentage of full-time work as defined above.

(19) Library Enhancement (K-12) 3,986,803

To be used for the purchase of books and/or audio visual equipment and other library materials, supplies and equipment including book binding, book repair, computer software, cataloging, filmstrips, newspapers, magazines, pictures, recordings, and video tapes.

To be distributed based upon a procedure to be determined by the State Board of Education.

(20) Career Incentive Program 3,900,000

To be distributed by the State Board of Education to all local boards of education for Career Incentive Program coordinators with selection to

be approved by the State Superintendent of Education.			
7. EDUCATION, STATE BOARD OF-JUNIOR COLLEGE SYSTEM:			
(a) Operations and Maintenance	57,902,491	22,370,243	80,272,734
(b) High Technology Equipment	190,076		190,076
(c) Library Enhancement	221,245		221,245
(d) Program Enhancement	255,000		255,000
(e) Auxiliary Enterprises		7,213,827	7,213,827
(f) Restricted Funds		20,167,870	20,167,870
SOURCE OF FUNDS:			
(1) ASETF	58,568,812		
(2) Other Funds		49,751,940	
Total State Board of Education-Junior College System	58,568,812	49,751,940	108,320,752

(1) The Operations and Maintenance appropriation above of $57,902,491 to the State Board of Education for the Junior College System is to be distributed to the junior colleges listed herein on the following formula:

(a) Junior colleges with credit-producing programs in Alabama correctional institutions shall be reimbursed for tuition that is waived but the total amount reimbursed shall not exceed the sum of $166,529.

(b) The sum of $200,000 to each junior college.

(c) The remainder of the appropriation is to be allotted to each junior college in accordance with its percentage of the total credit hours attempted for the summer quarter of the school year 1985-86 and the fall, winter and spring quarters of the school year 1986-87 by all the junior colleges listed in this appropriation, provided, however, the nursing and allied health credit hours will be funded on a cost basis based upon the summer quarter of the school year 1985-86 and the fall, winter, and spring quarters of the school year 1986-87 in accordance with the number of quarter hours attempted within the departments. However, only major allied health courses will be funded; related courses will be funded the same as non-health programs. Continuing education unit hours shall be excluded from the computations herein required. The above appropriation is to be distributed to the following junior colleges: (1) Alexander City State Junior College; (2) S.D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Community College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama State Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George C. Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville; (21) Shelton State Community College.

(2) The High Technology Equipment appropriation above of $190,076 to the State Board of Education for the Junior College System is to be distributed to the junior colleges listed above in (1c) on a needs basis as determined by the Chancellor of the Postsecondary Education System.

(3) The Library Enhancement appropriation above of $221,245 to the State Board of Education for the Junior College System is to be distributed to the junior colleges listed above in (1c) on a fall quarter 1987-88 full-time equivalent student enrollment basis with a minimum of $3.00 per full-time equivalent student to be expended for books. Other expenditures may include book binding, book repair, computer software, cataloging, filmstrips, newspapers, magazines, pictures, recordings, and video tapes.

(4) There shall be created a physical therapy assistant program at Wallace State Community College at Hanceville.

8. EDUCATION, STATE BOARD OF-TECHNICAL COLLEGE SYSTEM:			
(a) Operations and Maintenance	47,370,646	17,343,529	64,714,175
(b) High Technology Equipment	190,076		190,076
(c) Library Enhancement	114,509		114,509
(d) Auxiliary Enterprises		5,493,635	5,493,635
(e) Restricted Funds		11,841,471	11,841,471
(f) Equipment	50,000		50,000
SOURCE OF FUNDS:			
(1) ASETF	47,725,231		
(2) Other Funds		34,678,635	
Total State Board of Education-Technical College System	47,725,231	34,678,635	82,403,866

(1) The Operations and Maintenance appropriation above of $47,370,646 to the State Board of Education for the Technical College System is to be distributed to the technical colleges listed herein as follows:

(a) Technical Colleges with programs generating contact hours at Alabama correctional institutions shall be reimbursed for tuition that is waived but the total amount reimbursed shall not exceed the sum of $480,625.

(b) The remainder of the appropriation is to be allocated to each technical college in accordance with a formula adopted by the State Board of Education. The formula for a given program may not differ between colleges. The application of the formula shall be standard for all colleges. The following colleges shall receive the distribution as provided hereinabove:

(1) Atmore State Technical College; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessemer State Technical College; (6) John C. Calhoun State Community College-Technical Division; (7) Carver State Technical College; (8) J.F. Drake State Technical College; (9) Gadsden State Community College; (10) Richmond P. Hobson State Technical College; (11) J.F. Ingram State Technical College; (12) Theodore A. Lawson State Community College-Technical Division; (13) Douglas McArthur State Technical College; (14) Muscle Shoals State Technical College; (15) Northwest Alabama State Technical College; (16) N.F. Nunnelley State Technical College; (17) Opelika State

Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncey Sparks State Technical College; (23) Council Trenholm State Technical College; (24) C.A. Fredd State Technical College; (25) Walker State Technical College; (26) George C. Wallace State Community College-Technical Division (Selma); (27) George C. Wallace State Community College-Technical Division (Dothan); (28) George C. Wallace State Community College-Technical Division (Hanceville).

(2) The High Technology Equipment appropriation above of $190,076 to the State Board of Education for the Technical College System is to be distributed to the technical colleges listed above in (1b) on a needs basis as determined by the Chancellor of the Postsecondary Education System.

(3) The Library Enhancement appropriation above of $114,509 to the State Board of Education for the Technical College System is to be distributed to the technical colleges listed above in (1b) on a fall quarter 1987-88 full-time equivalent student enrollment basis with a minimum of $3.00 per full-time equivalent student to be expended for books. Other expenditures may include book binding, book repair, computer software, cataloging, filmstrips, newspapers, magazines, pictures, recordings, and video tapes.

9. FINE ARTS, ALABAMA SCHOOL OF:			
(a) Fine Arts Program			1,115,271
SOURCE OF FUNDS:			
(1) ASETF	847,892		
(2) Federal and Local Funds		267,379	
Total Alabama School of Fine Arts	847,892	267,379	1,115,271
10. FIRE COLLEGE, ALABAMA STATE-SHELTON STATE COMMUNITY COLLEGE:			
(a) Operations and Maintenance	466,847	167,184	634,031
(b) Auxiliary Enterprises		211,686	211,686
(c) Restricted Funds		308,182	308,182
SOURCE OF FUNDS:			
(1) ASETF	466,847		
(2) Other Funds		687,052	
Total Alabama State Fire College-Shelton State Community College	466,847	687,052	1,153,899
11. GADSDEN STATE COMMUNITY COLLEGE:			
(a) Technical Assistance Program			300,000
(For merger expense.)			
SOURCE OF FUNDS:			
(1) ASETF	300,000		

Total Gadsden State Community College	300,000	300,000
12. GOVERNOR'S EDUCATION PROGRAM, STATE BOARD OF EDUCATION-:		
(a) Financial Assistance Program		2,000,000
For the continuation of the program of in-service educational centers established by Act 84-622.		
SOURCE OF FUNDS:		
(1) ASETF	2,000,000	
Total State Board of Education-Governor's Education Program	2,000,000	2,000,000

Of the above appropriation, $168,000 shall be used to institute and conduct an annual program evaluation/accountability study of the teacher in-service centers in the following manner:

(a) the Alabama Commission on Higher Education shall establish a task force composed of a representative from each of the regional in-service center boards for the purpose of promulgating accountability standards for the operation of said in-service centers; Of the above $168,000, an amount not to exceed $10,000 shall be used to carry out the responsibility of the task force; and

(b) the State Department of Education shall administer and coordinate the functions of the task force established in sub-section (a) above and shall monitor and audit said existing in-service centers for compliance with the standards set out by the task force created in sub-section (a) above. The remainder of the above appropriation of $2,000,000 shall be allotted in the following manner:

(aa) The sum of $85,000 shall be distributed to each of the following in-service centers:

(1) Alabama A&M University,

(2) Alabama State University,

(3) Athens State College,

(4) Auburn University,

(5) Jacksonville State University,

(6) Troy State University,

(7) University of Alabama,

(8) University of Alabama-Birmingham,

(9) University of Montevallo,

(10) University of North Alabama and

(11) University of South Alabama.

(bb) The remainder of the above appropriation shall be allotted to each in-service center based on the number of state-funded teacher units earned in each region as reported by the State Department of Education, Revised Calculations for 1986-87 and the number of teachers employed as reported on the 1986-87 LEA Personnel Report for Additional Allocation for Special Education and State Vocational Education Teachers. Each in-service center shall be affiliated with the same region each center served on October 1, 1986. In addition, the appropriation made in (aa) and (bb) above shall be distributed to the named in-service centers within five (5) days of each quarterly allotment to the State Department of Education.

13. HEALTH INSURANCE BOARD, PUBLIC EDUCATION EMPLOYEES':

(a) Administrative Support Services Program 90,237,368

The above appropriation of $90,237,368 shall be expended for Hospital/Medical or Dental Insurance Assistance for professional employees, full-time support employees and adult school bus drivers for grades K-14 paid from State or local funds, employees of the Alabama Institute for the Deaf and Blind, and retired employees eligible under the provisions of Code of Alabama 1975, as amended, Section 16-25A-17. Full-time support employees shall be defined as those support employees working a minimum of 20 hours per week. The appropriation shall be allocated according to the provisions of Code of Alabama 1975, as amended, Section 16-25A-17. It is the intent of the Legislature that the sum of $90,237,368 appropriated hereinabove shall fund the Public

Education Employees Health Insurance Program so that beginning and during fiscal year 1988 all eligible full-time employees shall pay the premium rate of $2.00 per month and all retired eligible employees shall pay the rate of $1.14 per month. The above contribution rate shall not be adjusted by any administrative action by the Public Education Employees Health Insurance Board. The benefit level shall not be increased by any administrative action by the Public Education Employees Health Insurance Board. Furthermore it is the intent of the Legislature that no part of the above appropriation be used to pay for dependent coverage under said health insurance plan.			
SOURCE OF FUNDS:			
(1) ASETF	90,237,368		
Total Public Education Employees' Health Insurance Board	90,237,368		90,237,368
14. HEALTH INSURANCE, STATE EMPLOYEES':			
(a) Employee Benefits Program, Estimated			2,590,080
SOURCE OF FUNDS:			
(1) ASETF	2,590,080		
Total State Employees' Health Insurance, Estimated	2,590,080		2,590,080
15. HIGHER EDUCATION, ALABAMA COMMISSION ON:			
(a) Planning and Coordination Services Program			1,720,457
The proposed spending plan for the ASETF monies included in the above program is as follows:			
Operations and Maintenance 1,003,681			
Program Evaluation 200,037			
Research Enhancement Program 275,000			
SOURCE OF FUNDS:			
(1) ASETF	1,478,718		
(2) Federal and Local Funds		241,739	

Total Planning and Coordination Services Program (Total Operations)	1,478,718	241,739	1,720,457
(b) Student Financial Aid Program			29,458,919
The proposed spending plan for the ASETF monies included in the above program is to be distributed through ACHE as follows:			
(1) Educational Grants Program 3,016,828			
(2) Alabama National Guard Educational Assistance 200,000			
To be expended in accordance with Code of Alabama 1975, as amended, Sections 31-10-1 through 31-10-4.			
(3) Emergency Secondary Education Scholarships 1,044,083			
To be expended in accordance with Code of Alabama 1975, as amended, Sections 16-23-18 through 16-23-23.			
(4) Chiropractic Scholarships 47,519			
To be expended under the provisions of Code of Alabama 1975, as amended, Section 16-5-11.			
(5) Alabama Student Assistance Program 1,998,524			
SOURCE OF FUNDS:			
(1) ASETF	6,306,954		
(2) Federal and Local Funds		23,151,965	
Total Student Financial Aid Program	6,306,954	23,151,965	29,458,919
(c) Support of Other Educational Activities Program			1,345,804
The proposed spending plan for the ASETF monies included in the above program is to be distributed through ACHE as follows:			
(1) Southern Regional Education Board (SREB) 345,804			
(2) EPSCoR-National Science Foundation Program 1,000,000			
SOURCE OF FUNDS:			
(1) ASETF	1,345,804		
Total Support of Other Educational Activities Program	1,345,804		1,345,804
(d) Eminent Scholars Program			2,200,000

SOURCE OF FUNDS:			
(1) ASETF	2,200,000		
Total Eminent Scholars Program	2,200,000		2,200,000
TOTAL ALABAMA COMMISSION ON HIGHER EDUCATION:			
SOURCE OF FUNDS:			
(1) ASETF	11,331,476		
(2) Federal and Local Funds		23,393,704	
Grand Total Alabama Commission on Higher Education	11,331,476	23,393,704	34,725,180
16. INDUSTRIAL DEVELOPMENT TRAINING INSTITUTE, ALABAMA:			
(a) Industrial Training Program			1,712,258
(b) Industrial Development Program			2,000,000
The above appropriation of $2,000,000 to the Industrial Development Program is to be funded from the one-time windfall to the ASETF resulting from the acceleration of payments of insurance premium taxes.			
SOURCE OF FUNDS:			
(1) ASETF	3,712,258		
Total Alabama Industrial Development Training Institute	3,712,258		3,712,258
17. MARINE ENVIRONMENTAL SCIENCES CONSORTIUM:			
(a) Support of Other Educational Activities Program			1,088,803
SOURCE OF FUNDS:			
(1) ASETF	905,553		
(2) Federal and Local Funds		183,250	
Total Marine Environmental Sciences Consortium	905,553	183,250	1,088,803
18. MEDICAL SCHOLARSHIPS AWARDS, BOARD OF:			
(a) Support of Other Educational Activities Program			677,000
SOURCE OF FUNDS:			
(1) ASETF	677,000		
Total Board of Medical Scholarships Awards	677,000		677,000
To be expended under the provisions of Code of Alabama 1975, as			

amended, Sections 16-47-121 through 16-47-129.			
19. OPTOMETRIC SCHOLARSHIP AWARDS, BOARD OF:			
(a) Support of Other Educational Activities Program			125,000
SOURCE OF FUNDS:			
(1) ASETF	125,000		
Total Board of Optometric Scholarship Awards	125,000		125,000
To be expended under the provisions of the Code of Alabama 1975, as amended, Sections 34-22-60 through 34-22-65.			
20. PEACE OFFICERS' STANDARDS AND TRAINING COMMISSION, ALABAMA:			
(a) Professional and Occupational Licensing and Regulation Program			217,000
(b) Certified Law Enforcement Academy Program			710,925
Of the above appropriation for the Certified Law Enforcement Academy Program, the $410,925 of ASETF monies included therein shall be expended as follows:			
Jacksonville State University 118,264			
University of Alabama 118,264			
James H. Faulkner Jr. College 118,264			
Troy State University at Montgomery 56,133			
Total 410,925			
SOURCE OF FUNDS:			
(1) ASETF	627,925		
(2) Alabama Peace Officers' Standards and Training Fund-as provided in Code of Alabama 1975, as amended, Sections 36-21-40 through 36-21-50		300,000	
Total Alabama Peace Officers' Standards and Training Commission	627,925	300,000	927,925
21. POSTSECONDARY EDUCATION DEPARTMENT:			
(a) Postsecondary Two-Year Institutions Program			2,423,362
The proposed spending plan for the ASETF monies included in the above program is as follows:			
Chancellor's Office Operations 817,000			

Program Planning and Enhancement 95,816			
Displaced Homemakers' Program 150,000			
SOURCE OF FUNDS:			
(1) ASETF	1,062,816		
(2) Federal and Local Funds		1,360,546	
Total Postsecondary Education Department	1,062,816	1,360,546	2,423,362
22. PRISON EDUCATION EXPANSION-POSTSECONDARY EDUCATION DEPARTMENT:			
(a) Postsecondary Two-Year Institutions Program			1,040,000
SOURCE OF FUNDS:			
(1) ASETF	1,000,000		
(2) Federal and Local Funds		40,000	
Total Prison Education Expansion-Postsecondary Education Department	1,000,000	40,000	1,040,000
23. RETIREMENT SYSTEM OF ALABAMA, EMPLOYEES' (ASETF SHARE):			
(a) Retirement Systems Program, Estimated			379,000
SOURCE OF FUNDS:			
(1) ASETF-Employees' Retirement System, Estimated	233,000		
(2) ASETF-Employees' Special Pension, Act 85-631, Estimated	146,000		
Total Employees' Retirement System of Alabama (ASETF Share)	379,000		379,000
24. RETIREMENT SYSTEM OF ALABAMA, TEACHERS' (ASETF SHARE):			
(a) Retirement Systems Program, Estimated			187,155,000
(b) Term Life Insurance			2,655,000
Persons eligible for this insurance benefit shall be the following:			
(1) full-time members of the Teachers' Retirement System of Alabama-shall be eligible for the full benefit; and,			
(2) part-time members of the Teachers' Retirement System of Alabama-shall be eligible for proportional benefit based on the percentage of time			

each works in relationship to full-time work.			
SOURCE OF FUNDS:			
(1) ASETF-Teachers' Retirement System, Estimated	155,955,000		
(2) ASETF-Teachers' Special Pension Fund, Estimated	31,200,000		
(3) ASETF-Term Life Insurance	2,655,000		
Total Teachers' Retirement System of Alabama (ASETF Share)	189,810,000		189,810,000
25. SOCIAL SECURITY (ASETF SHARE):			
(a) For State's Share of Social Security, Estimated			147,000,000
SOURCE OF FUNDS:			
(1) ASETF	147,000,000		
Total Social Security (ASETF Share)	147,000,000		147,000,000
26. TENURE COMMISSION, STATE:			
(a) Regulation Program			10,659
SOURCE OF FUNDS:			
(1) ASETF	10,659		
Total State Tenure Commission	10,659		10,659
27. TELEVISION COMMISSION, EDUCATIONAL:			
(a) Educational Television Program			4,179,345
(b) Public Radio Service Program			428,089
(c) Capital Outlay			250,000
SOURCE OF FUNDS:			
(1) ASETF	2,707,434		
(2) Federal and Local Funds		2,150,000	
Total Educational Television Commission	2,707,434	2,150,000	4,857,434
28. UNEMPLOYMENT COMPENSATION-LOCAL BOARDS:			
(a) Financial Assistance Program			2,000,000
SOURCE OF FUNDS:			
(1) ASETF, Estimated	2,000,000		
Total Unemployment Compensation-Local Boards	2,000,000		2,000,000
29. VETERANS' AFFAIRS, DEPARTMENT OF:			
(a) Administration of Veterans' Affairs Program			3,836,960

SOURCE OF FUNDS:			
(1) ASETF-Transfer	3,836,960		
Total Department of Veterans' Affairs	3,836,960		3,836,960
The above appropriation is for Veterans' Education Benefits and includes pro rata administration costs of the Department of Veterans' Affairs and for the reimbursement to every State institution of higher learning, college, university, junior college or technical college in which benefits are given to Veterans, their wives, widows, or children under the provisions of Code of Alabama 1975, as amended, Sections 31-6-1 through 31-6-17.			
30. YOUTH SERVICES, DEPARTMENT OF:			
(a) Financial Assistance Program			2,972,289
The above appropriation for Financial Assistance Program includes $1,872,785 of ASETF monies. The above appropriation shall be expended by the Youth Services Department District in a manner consistent with the funding formula cooperatively established by the Youth Services Board and the State Board of Education pursuant to the provisions of Code of Alabama 1975, as amended, Sections 44-1-70 through 44-1-77.			
SOURCE OF FUNDS:			
(1) ASETF	1,872,785		
(2) Federal and Local Funds		1,099,504	
Total Department of Youth Services	1,872,785	1,099,504	2,972,289
31. RESERVE ACCOUNT-ALABAMA SPECIAL EDUCATIONAL TRUST FUND:			
(a) Reserve Account Program			21,000,000
SOURCE OF FUNDS:			
(1) ASETF	21,000,000		
Total ASETF Reserve Account	21,000,000		21,000,000
It is the intent of the Legislature that this Reserve Account be used to guard against proration. In the event			

that revenues into the Alabama Special Educational Trust Fund are insufficient to fund the appropriations to the various departments, boards, offices, commissions, and agencies in this Act, the funds herein appropriated into said Alabama Special Educational Trust Fund Reserve Account shall be allotted only to the extent necessary to avoid proration.			
32. AMERICAN LEGION AND AUXILIARY SCHOLARSHIPS:			
(a) Support of Other Educational Activities Program			40,000
SOURCE OF FUNDS:			
(1) ASETF	40,000		
Total American Legion and Auxiliary Scholarships	40,000		40,000
To be expended under the provisions of Code of Alabama 1975, as amended, Sections 16-31-1 through 16-31-4.			
SECTION 4.			
COLLEGES, UNIVERSITIES AND SCHOOLS:			
I. BOARD OF TRUSTEES OF UNIVERSITY OF ALABAMA:			
A. The University			
1. Operations and Maintenance	48,231,203	30,713,973	78,945,176
2. Industrial Management and Manufacturing Technology and Magnetic Information Technology Programs	3,070,000		3,070,000
3. Center for Emotionally Disturbed Children	521,345		521,345
4. Alabama Poison Control Center	250,000		250,000
5. Nursing Scholarships	16,136		16,136
6. Advocacy Program for the Developmentally Disabled	23,756		23,756
7. Capstone Medical Center	1,043,458	979,995	2,023,453
8. Alabama Museum of Natural History	279,488	85,400	364,888
9. College of Community Health Sciences	2,655,231	213,300	2,868,531
10. University Research Library	544,500		544,500
11. Research, Extension and Public Service	5,829,123	474,786	6,303,909

12. School of Mines and Energy Development	1,699,636		1,699,636
13. Computer Research and Development	668,250	544,000	1,212,250
14. Emergency Medical Services	153,000		153,000
15. Rural Infant Stimulation Environment Program	198,000		198,000
16. High Risk Nursery	111,159		111,159
17. Safe State Program	408,491		408,491
18. Tannehill Learning Center	17,500		17,500
19. Auxiliary Enterprises		28,702,879	28,702,879
20. Restricted Funds		20,450,000	20,450,000
SOURCE OF FUNDS:			
(1) ASETF	65,720,276		
(2) Other Funds		82,164,333	
Total University of Alabama	65,720,276	82,164,333	147,884,609
B. University of Alabama at Birmingham			
1. University College	22,468,437	17,951,141	40,419,578
2. Family Practice Residency Programs	1,523,838		1,523,838
The above appropriation shall be expended for residency programs as follows:			
Anniston 239,395			
East End 239,395			
Jefferson County 239,395			
Montgomery 242,290			
Selma 323,968			
Gadsden 239,395			
3. School of Medicine	25,140,764	18,713,643	43,854,407
4. University Hospitals	5,934,192	192,747,575	198,681,767
5. School of Optometry	3,511,430	2,539,774	6,051,204
6. School of Community and Allied Health	3,108,593	1,685,928	4,794,521
7. Regional Technical Institute	2,742,863	234,623	2,977,486
8. Joint Health Sciences	4,687,488	763,368	5,450,856
9. Department of Pediatrics and Children's Hospital	1,142,525		1,142,525
10. Center for Labor Education and Research	318,717		318,717
11. Student Nurses Loans	12,000		12,000
12. Center for Diabetes Research	188,794		188,794

13. Urban Research and Public Service	729,342		729,342
14. School of Dentistry	8,573,627	5,805,509	14,379,136
15. Nursing Scholarships	88,000		88,000
16. System Medical Education Program	479,177		479,177
17. School of Nursing	5,712,721	1,468,802	7,181,523
18. Health Related Research and Public Service	2,878,691		2,878,691
19. Public Health Research Program	136,651		136,651
20. Emergency Medical Service and Training	157,329		157,329
21. Medical Genetics Program	439,090		439,090
22. Hypertension Research	380,285		380,285
23. Multipurpose Arthritis Center	380,285		380,285
24. School of Engineering and Business Telecommunications Research Center	189,372		189,372
25. School of Public Health	2,921,738	925,487	3,847,225
26. Montgomery Internal Medicine Residency	271,574		271,574
27. Center for Advancement of Developing Industries	376,388		376,388
28. Center for Cystic Fibrosis Research	80,912		80,912
29. Center for Congenital Heart Disease	80,912		80,912
30. Biomedical Engineering Sciences	163,239		163,239
31. Center for Nuclear Magnetic Resonance Studies	454,050		454,050
32. Dental/Medical Research	142,589		142,589
33. Virology Research	37,232		37,232
34. Neuro-Science Research	250,000		250,000
35. Geriatric Service and Research Program	1,425,888		1,425,888
36. Internal Medicine Development	250,000		250,000
37. Sudden Death Research	162,104		162,104
38. Research Library	489,436		489,436
39. Research Center for Biomedical Engineering Sciences	604,900		604,900
40. Special Mental Health		3,504,049	3,504,049
(Of this amount, $200,073 shall be expended for Psychiatric Research)			
41. Chauncey Sparks Center for Developmental and Learning Disorders		707,548	707,548

42. Auxiliary Enterprises		9,552,124	9,552,124
43. Restricted Funds		64,793,000	64,793,000
SOURCE OF FUNDS:			
(1) ASETF	98,635,173		
(2) Special Mental Health Trust Fund		4,211,597	
(3) Other Funds		317,180,974	
Total University of Alabama at Birmingham	98,635,173	321,392,571	420,027,744
C. University of Alabama in Huntsville			
1. Operations and Maintenance	12,919,605	10,965,139	23,884,744
2. Nursing Scholarships	18,000		18,000
3. School of Primary Medical Care	3,016,000	493,720	3,509,720
4. Kenneth E. Johnson Research Center	378,000	161,302	539,302
5. UAH Medical Clinics	905,000	515,552	1,420,552
6. School of Nursing	1,090,500	295,840	1,386,340
7. Paramedic Training	145,000	35,000	180,000
8. Alabama Solar Energy Center	351,000	29,285	380,285
9. Center for High Technology Management and Economic Research	150,000		150,000
10. Rural Primary Care Clerkship	31,600		31,600
11. Research Institute	289,023	799,128	1,088,151
12. Developmental Computer Education	160,000		160,000
13. Center for Applied Optics	557,600	23,808	581,408
14. Center for Microgravity Science	464,000	14,880	478,880
15. Center for Robotics	464,000	20,832	484,832
16. Auxiliary Enterprises		2,470,000	2,470,000
17. Restricted Funds		9,353,020	9,353,020
SOURCE OF FUNDS:			
(1) ASETF	20,939,328		
(2) Other Funds		25,177,506	
Total University of Alabama in Huntsville	20,939,328	25,177,506	46,116,834
II. BOARD OF TRUSTEES OF ALABAMA A & M UNIVERSITY:			
A. Alabama A & M University			
1. Operations and Maintenance	14,509,706	6,305,003	20,814,709
2. Vocational Teacher Training	266,107		266,107

3. Cooperative Extension, Research and Service	399,450		399,450
4. Black Archives Museum	75,000		75,000
5. Auxiliary Enterprises		3,811,498	3,811,498
6. Restricted Funds		7,554,080	7,554,080
SOURCE OF FUNDS:			
(1) ASETF	15,250,263		
(2) Other Funds		17,670,581	
Total Alabama A & M University	15,250,263	17,670,581	32,920,844
III. BOARD OF TRUSTEES OF ALABAMA STATE UNIVERSITY:			
A. Alabama State University			
1. Operations and Maintenance	14,892,147	3,840,575	18,732,722
2. Educational Radio Station	190,076		190,076
3. Public Services Program	95,038		95,038
4. Auxiliary Enterprises		4,371,410	4,371,410
5. Restricted Funds		6,924,420	6,924,420
SOURCE OF FUNDS:			
(1) ASETF	15,177,261		
(2) Other Funds		15,136,405	
Total Alabama State University	15,177,261	15,136,405	30,313,666
IV. STATE BOARD OF EDUCATION:			
A. Athens State College			
1. Operations and Maintenance	2,761,217	1,539,749	4,300,966
2. Auxiliary Enterprises		359,714	359,714
3. Restricted Funds		506,220	506,220
SOURCE OF FUNDS:			
(1) ASETF	2,761,217		
(2) Other Funds		2,405,683	
Total Athens State College	2,761,217	2,405,683	5,166,900
V. BOARD OF TRUSTEES OF AUBURN UNIVERSITY:			
A. Auburn University			
1. Operations and Maintenance	52,630,084	47,486,880	100,116,964
2. Educational Television	368,727		368,727
3. Center for Vocational and Adult Education	523,606		523,606
4. Clinical Psychology	115,205		115,205
5. Ralph Draughon Library	734,000		734,000

6. Engineering Experiment Station	1,116,109		1,116,109
7. Public Service, Research and Extension	548,936		548,936
8. Energy Research	269,955		269,955
9. Food Animal Health and Diseases Research	333,900		333,900
10. Veterinary Teaching Hospital and Clinic	270,000		270,000
11. Truman Pierce Institute for the Advancement of Teacher Education	90,000		90,000
12. Forestry Program	175,000		175,000
13. Nursing Scholarships	18,000		18,000
14. Advanced Manufacturing Technology Center	400,000		400,000
15. Development of Genetic Engineering Applications	400,000		400,000
16. Pulp and Paper Research Center	300,000		300,000
17. International Commerce and Industrial Development	200,000		200,000
18. Architecture and Industrial Design	100,000		100,000
19. College of Veterinary Medicine	6,876,287	1,100,000	7,976,287
20. Textile Engineering Department ..	200,000		200,000
21. Highway Research Center	250,000		250,000
22. Research Library Enhancement ...	400,000		400,000
23. Auxiliary Enterprises		27,672,190	27,672,190
24. Restricted Funds		18,000,000	18,000,000
SOURCE OF FUNDS:			
(1) ASETF	66,319,809		
(2) Other Funds		94,259,070	
Total Auburn University	66,319,809	94,259,070	160,578,879
B. Alabama Agricultural Experiment Station			
1. Operations and Maintenance	12,389,173	4,187,109	16,576,282
2. Poultry Development Program	475,190		475,190
3. Catfish Research	200,000		200,000
4. Restricted Funds		8,174,081	8,174,081
SOURCE OF FUNDS:			
(1) ASETF	13,064,363		
(2) Other Funds		12,361,190	

Total Alabama Agricultural Experiment Station	13,064,363	12,361,190	25,425,553
C. Alabama Cooperative Extension Service			
1. Operations and Maintenance	13,326,506		13,326,506
2. Retirement	1,871,380		1,871,380
3. Computer Communication System	300,000		300,000
4. Restricted Funds		10,122,150	10,122,150
SOURCE OF FUNDS:			
(1) ASETF	15,497,886		
(2) Other Funds		10,122,150	
Total Alabama Cooperative Extension Service	15,497,886	10,122,150	25,620,036
D. Auburn University at Montgomery			
1. Operations and Maintenance	10,365,737	6,290,039	16,655,776
2. Montgomery Area Community Health Sciences Institute	51,321		51,321
3. Public Service, Research and Extension	454,282	250,000	704,282
4. Library Enhancement	80,000		80,000
5. Nursing Scholarships	18,000		18,000
6. Auxiliary Enterprises		2,993,067	2,993,067
7. Restricted Funds		1,726,500	1,726,500
SOURCE OF FUNDS:			
(1) ASETF	10,969,340		
(2) Other Funds		11,259,606	
Total Auburn University at Montgomery	10,969,340	11,259,606	22,228,946
VI. BOARD OF TRUSTEES OF JACKSONVILLE STATE UNIVERSITY:			
A. Jacksonville State University			
1. Operations and Maintenance	14,836,434	8,360,958	23,197,392
2. Gadsden Educational Program	339,000	30,000	369,000
3. Nursing Scholarships	18,000		18,000
4. Vocational Teacher Training	107,000		107,000
5. Developmental Education Project	189,591		189,591
6. Center for Economic Development	300,000		300,000
7. Research and Public Service	94,590		94,590
8. Community Education Development	40,000		40,000

9. Sensory Impaired Postsecondary Program	94,590		94,590
10. Auxiliary Enterprises		2,265,103	2,265,103
11. Restricted Funds		4,165,188	4,165,188
SOURCE OF FUNDS:			
(1) ASETF	16,019,205		
(2) Other Funds		14,821,249	
Total Jacksonville State University	16,019,205	14,821,249	30,840,454
VII. BOARD OF TRUSTEES OF LIVINGSTON UNIVERSITY:			
A. Livingston University			
1. Operations and Maintenance	5,366,820	1,331,525	6,698,345
2. Nursing Scholarships	18,000		18,000
3. Auxiliary Enterprises		2,109,331	2,109,331
4. Restricted Funds		592,763	592,763
SOURCE OF FUNDS:			
(1) ASETF	5,384,820		
(2) Other Funds		4,033,619	
Total Livingston University	5,384,820	4,033,619	9,418,439
VIII. BOARD OF TRUSTEES OF UNIVERSITY OF MONTEVALLO:			
A. University of Montevallo			
1. Operations and Maintenance	8,066,536	3,097,442	11,163,978
2. Center for the Study of Communication Science and Disorders	245,653		245,653
3. Alabama Traffic Safety Center	124,826		124,826
4. Mass Communication Center	85,942		85,942
5. Center for Excellence in Undergraduate Liberal Studies	25,000		25,000
6. Center for Excellence in Business Education	329,883		329,883
7. Auxiliary Enterprises		3,437,529	3,437,529
8. Restricted Funds		1,592,927	1,592,927
SOURCE OF FUNDS:			
(1) ASETF	8,877,840		
(2) Other Funds		8,127,898	
Total University of Montevallo	8,877,840	8,127,898	17,005,738
IX. BOARD OF TRUSTEES OF UNIVERSITY OF NORTH ALABAMA:			
A. University of North Alabama			
1. Operations and Maintenance	11,534,669	6,137,450	17,672,119
2. Research and Public Service	346,889	8,199	355,088

3. Nursing Scholarships	18,000		18,000
4. Center for Business Productivity and Relations	190,076		190,076
5. Developmental Computer Education	95,038		95,038
6. Occupational and Health Laboratory	50,000		50,000
7. Auxiliary Enterprises		1,837,005	1,837,005
8. Restricted Funds		308,372	308,372
SOURCE OF FUNDS:			
(1) ASETF	12,234,672		
(2) Other Funds		8,291,026	
Total University of North Alabama	12,234,672	8,291,026	20,525,698
X. BOARD OF TRUSTEES OF UNIVERSITY OF SOUTH ALABAMA:			
A. University of South Alabama			
1. Operations and Maintenance	22,121,832	15,701,842	37,823,674
2. Medical Research and Public Service	285,859		285,859
3. Family Practice Residency Program	572,501		572,501
4. College of Medicine	11,300,335	11,624,512	22,924,847
5. Medical Center Hospital	1,206,232	55,555,363	56,761,595
6. Nursing Scholarships	18,000		18,000
7. Alabama Business and Transportation Program	95,038		95,038
8. Paramedic Training Program	141,607	90,000	231,607
9. Newborn Growth and Development Program	81,432		81,432
10. Coastal Environmental and Economic Services Program	95,038		95,038
11. Birth Defects and Genetic Center	201,615		201,615
12. Research and Public Service	93,137		93,137
13. Baldwin County Campus	259,454	225,000	484,454
14. Auxiliary Enterprises		7,548,292	7,548,292
15. Restricted Funds		10,750,000	10,750,000
SOURCE OF FUNDS:			
(1) ASETF	36,472,080		
(2) Other Funds		101,495,009	

Total University of South Alabama	36,472,080	101,495,009	137,967,089
XI. BOARD OF TRUSTEES OF TROY STATE UNIVERSITY:			
A. Troy State University			
1. Operations and Maintenance	10,103,022	11,740,658	21,843,680
2. Center for Environmental Research and Science	200,000		200,000
3. Nursing Scholarships	36,000		36,000
4. School of Nursing-Montgomery	235,000	12,000	247,000
5. Branch Campus at Phenix City	647,875	295,000	942,875
6. Center for Developmental Education	240,000		240,000
7. Public Radio and Communication Services	160,000		160,000
8. Research and Public Service	250,000	320,000	570,000
9. Auxiliary Enterprises		4,456,500	4,456,500
10. Restricted Funds		712,000	712,000
SOURCE OF FUNDS:			
(1) ASETF	11,871,897		
(2) Other Funds		17,536,158	
Total Troy State University	11,871,897	17,536,158	29,408,055
B. Troy State University at Dothan			
1. Operations and Maintenance	1,675,279	717,557	2,392,836
2. Auxiliary Enterprises		234,414	234,414
SOURCE OF FUNDS:			
(1) ASETF	1,675,279		
(2) Other Funds		951,971	
Total Troy State University at Dothan	1,675,279	951,971	2,627,250
C. Troy State University in Montgomery			
1. Operations and Maintenance	1,536,969	1,537,480	3,074,449
2. Davis Theatre-Fine Arts Program	100,000		100,000
3. Auxiliary Enterprises		365,255	365,255
4. Restricted Funds		199,924	199,924
SOURCE OF FUNDS:			
(1) ASETF	1,636,969		
(2) Other Funds		2,102,659	

Total Troy State University in Montgomery	1,636,969	2,102,659	3,739,628
XIII. BOARD OF TRUSTEES OF ALABAMA INSTITUTE FOR DEAF AND BLIND:			
1. Adult Programs	2,834,039	2,754,099	5,588,138
2. Children and Youth Programs	8,729,903	1,227,115	9,957,018
3. Industries for the Blind	874,490	12,631,198	13,505,688
SOURCE OF FUNDS:			
(1) ASETF	12,438,432		
(2) Other Funds		16,612,412	
Total Alabama Institute for Deaf and Blind	12,438,432	16,612,412	29,050,844

SECTION 5.

CONDITIONAL APPROPRIATIONS—The following appropriations are conditioned upon the availability of funds in the Alabama Special Educational Trust Fund and the approval of the Governor and shall be released in the order listed below:

A. Department of Education	
(a) Teacher Testing	1,000,000
(b) Free Textbooks	3,262,660
B. Alabama Commission on Higher Education	
(a) EPSCoR-National Science Foundation Program	1,000,000
C. Department of Education	
(a) Drug Education	150,000
(b) Matching Funds for National Geographic Grant	50,000
(c) AIDS Education	537,340
D. Department of Youth Services	
(a) Regional Youth Detention Centers	497,000

To be allocated on the number of beds per center.

E. Higher Education—The conditional appropriations to the following higher education entities shall be of equal priority and the release of any of the funds shall be on a proportional basis.

1. Postsecondary Education Department	
(a) Chancellor's Office Operations	125,000
2. Junior College System	
(a) Operations and Maintenance	202,287
3. Technical College System	
(a) Operations and Maintenance	165,508
4. University of Alabama	
(a) Operations and Maintenance	290,344
5. University of Alabama in Birmingham	
(a) Operations and Maintenance	435,759
6. University of Alabama in Huntsville	
(a) Operations and Maintenance	92,507
7. Alabama A & M University	
(a) Operations and Maintenance	59,697
8. Alabama State University	
(a) Operations and Maintenance	54,453
9. Athens State College	
(a) Operations and Maintenance	13,552
10. Auburn University	
(a) Operations and Maintenance	280,982
11. Agricultural Experiment Station	
(a) Operations and Maintenance	54,992
12. Cooperative Extension Service	
(a) Operations and Maintenance	65,429
13. Auburn University at Montgomery	
(a) Operations and Maintenance	52,621
14. Jacksonville State University	
(a) Operations and Maintenance	84,796
15. Livingston University	
(a) Operations and Maintenance	20,420
16. University of Montevallo	
(a) Operations and Maintenance	37,248
17. University of North Alabama	
(a) Operations and Maintenance	60,491
18. University of South Alabama	
(a) Operations and Maintenance	172,532
19. Troy State University	
(a) Operations and Maintenance	57,124
20. Troy State University at Phenix City	
(a) Operations and Maintenance	3,810

21. Troy State University at Dothan/ Ft. Rucker	
(a) Operations and Maintenance	11,053
22. Troy State University in Montgomery	
(a) Operations and Maintenance	9,395
F. Alabama Industrial Development Training Institute	
(a) Industrial Training Program	1,000,000

SECTION 6.

A. SPECIAL MENTAL HEALTH FUND:

(1) There is hereby appropriated from the Special Mental Health Trust Fund to the Board of Trustees of the University of Alabama for the University of Alabama at Birmingham $3,504,049 to be expended for Special Mental Health.

(2) There is hereby appropriated from the Special Mental Health Trust Fund to the Board of Trustees of the University of Alabama for the University of Alabama at Birmingham $707,548 to be expended for the Chauncey Sparks Center for Developmental and Learning Disorders.

B. ALABAMA PEACE OFFICERS' STANDARDS AND TRAINING FUND:

There is hereby appropriated from the Alabama Peace Officers' Standards and Training Fund to the Alabama Peace Officers' Standards and Training Commission $300,000 to be expended for the Certified Law Enforcement Academy Program.

C. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars ($100) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258, and 259 of the Constitution of Alabama 1901 and the amount appropriated from all other funds as is now provided by law, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools. There is hereby appropriated forty-five million dollars ($45,000,000) from the Public School Fund for the Minimum Program Fund to be expended under the Financial Assistance Program as shown in subsection 3-A-5(a). If the Public School Fund receives more revenue than appropriated for the fiscal year ending September 30, 1988, the excess in revenue shall be carried over as a beginning balance for the fiscal year beginning October 1, 1988.

SECTION 7.

The State Superintendent of Education shall make requisitions on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds appropriated to the State Department of Education and/or the State Board of Education in this Act, whereupon the Comptroller shall issue his warrant therefor. All other appropriations in this Act shall be paid on request by the Comptroller in the manner now provided by law.

SECTION 8.

Nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other education or eleemosynary institution of

the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which are now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall further maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provision of this appropriation. Further, all state, county, municipal and educational entities are authorized to disburse such funds as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Code of Alabama 1975, as amended, Section 41-5-24.

SECTION 9.

The appropriations made herein to the departments, boards, offices, commissions, and agencies include the amount necessary and said departments, boards, offices, commissions, and agencies are hereby directed to make the transfer of funds to the State Personnel Department in the amounts enumerated in the General Appropriation Act for the fiscal year ending September 30, 1988.

SECTION 10.

All encumbered balances of a previous fiscal year appropriation other than the exclusions authorized by the Code of Alabama 1975, as amended, Section 41-4-93, shall lapse on September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the ASETF or the trust fund from which the appropriation or appropriations were made.

SECTION 11.

The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made.

SECTION 12.

This Act shall become effective on October 1, 1987.

REPORT OF COMMITTEE ON CONFERENCE ADOPTED

On motion of Rep. Harper the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 269, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry,

Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

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And the bill, H. 269 as amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 298. Relating to Jefferson County; authorizing the Jefferson County Commission and the Jefferson County Sheriff's Department to prohibit the overgrowth of weeds, the storage and accumulation of junk, inoperable motor vehicles and other litter; providing for penalties; and providing that this act shall be known as the Cope and Norris Act.

WHEREAS, the Jefferson County government finds as fact that overgrowth of weeds or vegetation and accumulation or storage of junk, trash, scrap materials, rubbish, tires, inoperable motor vehicles, litter, debris, and other matter, all or any one or combination thereof, on premises of two acres or less within the unincorporated territory of Jefferson County constitute a real and present danger and hazard to the health and safety of the citizens of Jefferson County; and

WHEREAS, such overgrowth, storage and accumulations are widespread and have caused reduction in the value of neighboring premises; now therefore,

Also:

H. 452. To alter, rearrange and extend the boundaries and corporate limits of the City of Columbiana, Alabama, so as to incorporate certain territory as described herein.

Also:

H. 453. To propose an amendment to the Constitution of Alabama of 1901, so as to authorize Shelby County to levy additional taxes within the county for public school purposes.

Also:

H. 629. Relating to Jefferson County; to amend section 4 of Act 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, pp. 717-739) as heretofore amended, by adding a subsection (e) to said section 4; said subsection (e) to provide that any person serving as an employee or an officer of the county and who has and been a member of the pension system, meeting certain requirements and under certain circumstances, may convert all or part of any unpaid membership time to paid membership time in the pension system; to authorize the pension board of the general retirement system for employees of Jefferson County to promulgate rules and regulations to implement the provisions of this subsection (e).

Also:

H. 648. Relating to Jefferson County; to create a public corporation for the purposes of flood control in circumstances affecting urban areas in Jefferson County, to be known as the Jefferson County Flood Control Authority, with its principal office to be located in the City of Birmingham; to provide for a board of directors, prescribe the method of appointment and compensation of directors, their duties, powers, and authority; to authorize the State of Alabama, and counties and municipalities therein, to contract with and to appropriate funds to such Authority and to issue general obligation or revenue bonds or warrants to finance projects; to provide that the debts and obligations of the Authority shall not be the debts or obligations of the State of Alabama, or any county or municipality therein; and to exempt the Authority and its property from state, county, and municipal taxation.

Also:

H. 708. To amend Section 4 of Act No. 86-645 1st Special Session, 1986, concerning the repayment of funds transferred from Fund No. 305735 by said Act.

Also:

H. 731. To amend Section 12-19-92, Code of Alabama 1975, which provides for fees of constables, so as to provide further for the fees of the constables in Jefferson County.

Also:

H. 843. To authorize the Shelby County commission to adopt, amend, and provide for the enforcement of certain building codes which shall apply in certain areas in said county; to prescribe the manner of adopting such codes; to authorize said commission to enforce such codes; to authorize the prescription and collection of certain fees necessary to effect the enforcement of such codes; and to prescribe penalties for violation of such codes.

Also:

H. 885. To further amend Act No. 921 of the 1951 Regular Session, as amended, and as further amended and restated in Act No. 1272 of the 1973 Regular Session of the Legislature of Alabama, as amended (Acts, 1973, pp. 2124, et seq.), which Act, as amended, provides a retirement and relief system for officers and employees of each city of the State of Alabama having a population of 250,000 or more inhabitants according to the last or any succeeding federal census to provide a retirement benefit for officers or employees of such cities who have attained the age of seventy (70) years or more, who have ten (10) or more but fewer than fifteen (15) years of credited service.

Also:

H. 886. Relating to Class I municipalities, to provide that the courts of this state shall take judicial notice of all municipal ordinances of such municipalities.

Also:

H. 891. To authorize the Board of Managers of the City of Birmingham Retirement and Relief System to consider the application of A. Joyce Seale to purchase creditable time in the retirement and relief fund for time served in the civil defense corps and to allow such purchase if, in the judgment of the board of managers, such purchase is reasonable, and to provide for the conditions and limitations applying to such purchase, and to set an effective date.

Also:

H. 896. To provide for the appointment, duties and compensation of six Deputy District Attorneys in the Tenth Judicial Circuit of Alabama, Bessemer Division.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker Pro Tem of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to wit:

H. 998. Relating to St. Clair County; to amend Section 1 of Act No. 80-280, S. 459, 1980 Regular Session (Acts 1980, p. 394), which provides for the hiring of certain personnel in the office of the sheriff in said county and prescribing salaries for such personnel, so as to provide further for the hiring of additional deputies and compensation.

Also:

H. 1000. To alter and rearrange the boundaries of the city of Pelham in Shelby County, so as to exclude and include certain territory from the corporate limits of the city.

Also:

H. 1002. To alter and rearrange the boundaries of the city of Helena in Shelby County, so as to exclude and include certain territory from the corporate limits of the city.

Also:

H. 1064. To levy a lodgings tax in Shelby County, to provide for the collection and distribution of said tax, and to provide that the net proceeds of said tax shall be used exclusively for the support and promotion of tourism and industry in Shelby County.

Also:

H. 1117. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

Also:

H. J. R. 286. URGING THE INSTITUTIONS OF HIGHER EDUCATION TO GRANT PAY RAISES TO CERTAIN EMPLOYEES DENIED SALARY INCREASES DUE TO PRORATION.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker Pro Tem of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Butler, Budget Isolation Resolution relating to S. B. 155, was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Butler, Campbell,

Carothers, Carter, Clark (W), Coburn, Crow, Curry, Davis, Dillard, Drake, Faulk, Flowers, Ford, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Holley, Hooper, Johnson (RG), Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McMillan, Mikell, Moon, Newman, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turnham, Venable, Warren, White (F), White (G), White (L), Willis, Wright and Zoghby.

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And the bill:

S. 155. To amend Section 29-2-41, Code of Alabama 1975, which relates to the Contract Review Permanent Legislative Oversight Committee, so as to provide further for the committee's authority to review state contracts.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Payne, Penry, Perdue, Poole, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

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BUDGET ISOLATION RESOLUTION

On motion of Rep. Parker, Budget Isolation Resolution relating to S. B. 515, was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Black, Blakeney, Box, Breedlove, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Campbell, Carothers, Carter, Clark (W), Coburn, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McMillan, Mikell, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Rogers, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Willis, Wright and Zoghby.

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And the bill:

S. 515. To amend Section 38-7-2, Code of Alabama 1975, relating to child care, so as to redefine the term "day care home" and provide further therefor.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Black, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Headley, Hettinger, Higginbotham, Hill, Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Venable, Walker, Warren, White (G), White (L), Williams, Willis, Wright and Zoghby.

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 263. To amend Act No. 86-645, Acts of Alabama, First Extraordinary Session, 1986, by repealing Section 2 of said Act; and to provide for the transfer back of funds heretofore transferred from the state insurance fund pursuant to Act No. 86-645, by the State Finance Director with approval of the Governor.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILL

The Speaker Pro Tem of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Slaughter, Budget Isolation Resolution relating to S. B. 214, was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Hall, Hamilton,

Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Mathis, McClain, McDowell, McKee, Moon, Newman, Payne, Perdue, Petelos, Poole, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Venable, Walker, Warren, White (G), White (L), Williams, Willis, Wright and Zoghby.

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MOTION TO TEMPORARILY POSTPONE LOST

The motion offered by Rep. Grayson to temporarily postpone consideration of the bill, S. 214, was lost.

Yeas 9; Nays 51.

Yeas:

Reps. Black, Bryant, Buskey (JE), Crow, Grayson, Hogan, McMillan, Penry and Rains.

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Nays:

Mr. Speaker, Adams, Beasley, Beers, Blakeney, Britnell, Brooks, Butler, Campbell, Carothers, Carter, Coburn, Curry, Dillard, Drake, Flowers, Ford, Freeman, Gray, Grouby, Hamilton, Hammett, Harvey, Headley, Higginbotham, Hill, Johnson (RG), Junkins, Knight, Laird, Logan, Marietta, Marks, Mathis, McKee, Mikell, Newman, Parker, Petelos, Poole, Richardson, Slaughter, Thomas, Turner, Venable, Warren, White (F), White (G), Willis, Wright and Zoghby.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1025. To make an appropriation from the State General Fund to the Department of Finance for the Retired Senior Volunteer Program for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 406. Proposing an amendment to the Constitution to permit elected superintendents and any other officials not elected by a state wide ballot to participate in such state retirement plans that are established by law; to further provide that any member of the state retirement plan who is elected

to a state wide office may continue such participation during his term of office.

Also:

H. 1125. To make an appropriation for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1127. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the Network of Alabama Academic Libraries for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 1126. To make an appropriation from the Alabama Special Educational Trust Fund to the Eye Injury Register for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 157. REQUESTING THE STATE DEPARTMENT OF EDUCATION TO CONDUCT A SURVEY.

Also:

S. J. R. 41. TO ESTABLISH A LEGISLATIVE COMMITTEE TO MAKE RECOMMENDATONS AS TO THE APPROPRIATE STATE AGENCY TO ADMINISTER THE MEDICAID WAIVERED SERVICES PROGRAM FOR THE ELDERLY AND TO URGE THE GOVERNOR TO DELAY THE TRANSFER OF THE MEDICAID WAIVERED SERVICES CURRENTLY BEING ADMINISTERED BY THE COMMISSION ON AGING TO THE DEPARTMENT OF HUMAN RESOURCES SCHEDULED TO BE EFFECTIVE MAY 1, 1987 PENDING THE RECOMMENDATIONS OF THE LEGISLATIVE COMMITTEE CREATED HEREIN.

Also:

S. J. R. 95. REQUESTING THAT THE GOVERNOR IMMEDIATELY ESTABLISH AN ALABAMA COUNCIL OF CHILD DAY CARE

REGULATORS TO COORDINATE DAY CARE REGULATORY FUNCTIONS WITHIN STATE GOVERNMENT IN ORDER TO DEVELOP CONSISTENT AND COHERENT STATE REGULATIONS AND POLICIES.

Also:

S. J. R. 119. REQUESTING THE DIRECTOR OF THE ALABAMA DEVELOPMENT OFFICE AND THE ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS (ADO/ADECA) TO DESIGNATE A STAFF PERSON TO INFORM AND ENCOURAGE EMPLOYERS INTERESTED IN PROVIDING CHILD DAY CARE SUPPORT SERVICES AND BENEFITS.

Also:

S. J. R. 93. URGING THE GOVERNOR TO DESIGNATE A STAFF PERSON TO SERVE AS CHILD DAY CARE COORDINATOR.

Also:

S. J. R. 96. REQUESTING THE COMMISSIONER OF THE DEPARTMENT OF HUMAN RESOURCES TO ESTABLISH COUNTY COORDINATING COUNCILS FOR CHILD DAY CARE, WHERE FEASIBLE.

Also:

S. J. R. 120. REQUESTING THAT THE INSURANCE COMMISSIONER IMMEDIATELY DESIGNATE A STAFF PERSON IN THE ALABAMA INSURANCE DEPARTMENT TO INVESTIGATE AND ASSIST WITH SOLVING THE CHILD DAY CARE INSURANCE CRISIS.

Also:

S. J. R. 180. DIRECTING THE DEPARTMENT OF HUMAN RESOURCES AND THE STATE MEDICAID AGENCY TO IMPLEMENT ITEMS A., B., AND C., II, OF THE STATE HEALTH OFFICER'S SUMMARY.

Also:

S. J. R. 201. URGING PRESIDENT RONALD REAGAN TO APPOINT ZACK THOMPSON OF ALABAMA TO FILL THE VACANCY CURRENTLY EXISTING ON THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY.

Also:

S. J. R. 203. REQUESTING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO RECOMMEND THAT REGULATION OF OIL AND GAS EXPLORATION AND PRODUCTION WASTES CONTINUE TO BE THE RESPONSIBILITY OF THE INDIVIDUAL STATES.

Also:

S. 713. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, to make the provisions of the retirement and relief system of the City of Birmingham available to the employees of the Birmingham Airport Authority upon election of such coverage by the Birmingham Airport Authority.

Also:

S. 620. Relating to Tuscaloosa County; providing the tax assessor and tax collector of the county an additional expense allowance, payable from county funds; and providing further for the compensation of each such public office at the expiration of the respective terms of office of such incumbent officials.

Also:

S. 450. Relating to Class I municipalities, to provide that the courts of this state shall take judicial notice of all municipal ordinances of such municipalities.

Also:

S. 707. Relating to Etowah County; providing for the distribution of fire protection net tax revenues generated pursuant to Amendment No. 445, Amendment of Amendment 432, which authorized the levy of such tax and the distribution to volunteer fire departments for such protection and services, so as to provide for the manner of such distribution together with any earned interest thereon.

Also:

S. 706. To fix the fee for the issuance of pistol permits in Etowah County; to provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund; to provide for the use of such fund; and to provide that this act shall be retroactive to January 19, 1987.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 406. Proposing an amendment to the Constitution to permit elected superintendents and any other officials not elected by a state wide ballot to participate in such state retirement plans that are established by law; to further provide that any member of the state retirement plan who is elected to a state wide office may continue such participation during his term of office.

Also:

H. 1025. To make an appropriation from the State General Fund to the Department of Finance for the Retired Senior Volunteer Program for

the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 1125. To make an appropriation for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 1126. To make an appropriation from the Alabama Special Educational Trust Fund to the Eye Injury Register for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 1127. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the Network of Alabama Academic Libraries for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker Pro Tem of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

S. 214 RESUMED

MOTION TO INDEFINITELY POSTPONE LOST

The motion offered by Rep. Grayson to indefinitely postpone the bill, S. 214, was lost.

Yeas 3; Nays 60.

Yeas: Reps. Bryant, Clark (W) and Grayson. —3

Nays:

Mr. Speaker, Adams, Beers, Biddle, Blake, Blakeney, Breedlove, Brooks, Campbell, Carter, Coburn, Cosby, Crow, Curry, Dillard, Drake, Flowers, Ford, Freeman, Gaston, Gray, Hamilton, Hammett, Harvey, Hettinger, Higginbotham, Hill, Hogan, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Kvalheim, Layson, Lindsey, Marietta, Marks, Mathis, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole,

Seibels, Slaughter, Turner, Turnham, Venable, Warren, White (F), White (G), Williams, Wright and Zoghby.

—60

And the bill:

S. 214. To amend Section 16-13-99, Code of Alabama 1975, to eliminate therefrom the schedule of maximum fees to be paid a paying agent bank for the services performed and expenses incurred in acting as paying agent, and to authorize boards of education to compensate paying agent banks in amounts deemed reasonable by the board of education.

Was read a third time at length and passed.

Yeas 68; Nays 1.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Blake, Blakeney, Breedlove, Britnell, Brooks, Bryant, Bugg, Buskey (JL), Campbell, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Ford, Freeman, Gaston, Gray, Hall, Hamilton, Hammett, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Kvalheim, Layson, Lindsey, Logan, Marks, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rogers, Seibels, Slaughter, Spratt, Thomas, Turner, Venable, White (G), White (L), Williams, Wright and Zoghby.

—68

Nay: Rep. Grayson. —1

BUDGET ISOLATION RESOLUTION

On motion of Rep. Slaughter, Budget Isolation Resolution relating to S. B. 215, was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Black, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JL), Butler, Campbell, Carothers, Carter, Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Flowers, Ford, Frazier, Freeman, Gaston, Gray, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, Mikell, Moon, Newman, Parker, Perdue, Petelos, Poole, Rogers, Seibels, Slaughter, Spratt, Turner, Venable, Warren, White (F), White (G), White (L), Williams, Wright and Zoghby.

—78

And the bill:

S. 215. To provide that a trust company or other financial institution with trust powers may, in its fiduciary capacity, purchase bonds or other securities underwritten by the financial institution or by a syndicate which includes the financial institution or an affiliate of the financial institution.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Ford, Frazier, Fuller, Gaston, Gray, Grouby, Hamilton, Hammett, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Thomas, Turner, Venable, Walker, White (G), White (L), Williams, Willis, Wright and Zoghby.

—87

BUDGET ISOLATION RESOLUTION

On motion of Rep. Higginbotham, Budget Isolation Resolution relating to S. B. 454, was adopted.

Yeas 76; Nays 1.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blake, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Ford, Frazier, Gaston, Gray, Grouby, Hamilton, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hill, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Kennedy, Knight, Kvalheim, Laird, Layson, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Parker, Payne, Perdue, Petelos, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Turner, Venable, White (G), Williams, Willis and Wright.

—76

Nay: Rep. Hogan. —1

And the bill:

S. 454. (With Substitute): To reopen the Teachers' and Employees' Retirement Systems of Alabama for nonmembership service; to provide that as a prerequisite to obtaining such credit, said members must be active and contributing members of the Employees' Retirement System of Alabama or the Teachers' Retirement System of Alabama, and to provide that this act shall take effect October 1, 1987, and to provide for its termination on October 1, 1988.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To reopen the Teachers' Retirement System of Alabama for certain nonmembership service; to provide that as a prerequisite to obtaining such credit, said members must be active and contributing members of the Teachers' Retirement System of Alabama, and to provide that this act shall take effect October 1, 1987, and to provide for its termination on October 1, 1988.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Whenever used in this Act, all words and phrases defined in Code of Alabama 1975, Section 36-27-1, shall have the same meanings ascribed to them in such section, unless the context clearly indicates that a different meaning is intended.

Section 2. Any active and contributing member of the Teachers' Retirement System of Alabama who has been credited with at least ten years of contributing membership service and, who has rendered full-time service as a Legislative employee may hereby claim and purchase credit for any such prior full-time legislative service for which credit has not been granted in either the Teachers' or Employees Retirement System.

Section 3. Any member eligible to claim and purchase credit for service under Section 2 hereof, shall be awarded such credit under the Teachers' Retirement System of Alabama provided he shall pay to the Secretary-Treasurer of the Teachers' Retirement System prior to said member's date of retirement a sum equal to the contributions he would have made for such prior service plus 8% interest compounded annually.

Section 4. The provisions granted under this act to reopen the Teachers' Retirement System shall terminate October 1, 1988, and no one shall be eligible to utilize any of the options granted herein if not fully exercised and paid prior to October 1, 1988.

Section 5. The provisions of this act are cumulative and shall not be construed to repeal or supersede any laws or parts of laws not directly inconsistent herewith.

Section 6. This act shall take effect October 1, 1987.

And the substitute was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Ford, Frazier, Gaston, Gray, Grouby, Hamilton, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Kennedy, Knight, Kvalheim, Laird, Layson, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan,

Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Turner, Venable, Walker, White (G), Williams, Willis and Wright.

—81

And the bill, S. 454 as amended, was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Biddle, Black, Blake, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Ford, Frazier, Gaston, Gray, Grouby, Hamilton, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RW), Kennedy, Knight, Kvalheim, Laird, Layson, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Reed, Richardson, Rogers, Slaughter, Spratt, Turner, Venable, Walker, White (G), Williams, Willis and Wright.

—76

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 671. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Harvey, Budget Isolation Resolution relating to S. B. 264, was adopted.

Yeas 75; Nays 1.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Black, Blake, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Grouby, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marietta, Marks, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Reed, Richardson, Rogers, Seibels, Slaughter, Thomas, Turner, Venable, Warren, White (G), White (L), Williams, Willis, Wright and Zoghby.

—75

Nay: Rep. Gray. —1

And the bill:

S. 264. To amend section 9-3-10.1, Code of Alabama 1975, which provides for the emergency forest fire fund, so as to change the name to the emergency forest fire, insects and disease fund and to increase the ceiling on the appropriation to the fund.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Butler, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Grouby, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Richardson, Rogers, Seibels, Slaughter, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—79

BUDGET ISOLATION RESOLUTION

On motion of Rep. Grouby, Budget Isolation Resolution relating to S. B. 345, was adopted.

Yeas 64; Nays 1.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Blake, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Butler, Carothers, Carter, Cosby, Crow, Curry, Davis, Dillard, Faulk, Ford, Frazier, Freeman, Gaston, Grouby, Hall, Hamilton, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Newman, Parker, Payne, Petelos, Poole, Richardson, Rogers, Slaughter, Turner, Walker, Warren, White (F), White (G), Williams, Wright and Zoghby.

—64

Nay: Rep. Holmes. —1

And the bill:

S. 345. To amend Section 36-21-2, Code of Alabama 1975, which provides for subsistence allowance for certain law enforcement officers, so as to provide a subsistence allowance for any law enforcement officer of the state of Alabama who is employed by the Liquefied Petroleum Gas Board.

Was read a third time at length and passed.

Yeas 68; Nays 1.

Yeas:

Mr. Speaker, Beasley, Beers, Black, Blake, Box, Britnell, Brooks, Bryant, Burke, Buskey (JE), Butler, Carothers, Carter, Cosby, Crow, Curry, Davis,

Dillard, Faulk, Ford, Frazier, Freeman, Gaston, Gray, Grouby, Hall, Hamilton, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Kennedy, Knight, Kvalheim, Laird, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Reed, Richardson, Rogers, Slaughter, Turner, Walker, Warren, White (F), White (G), Williams, Willis, Wright and Zoghby.

—68

Nay: Rep. Holmes. —1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 269. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1988.

And said Bill, H. B. 269, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1027. To make an appropriation from the State General Fund to the Commission on Aging for the Care Assurance System for the Aging and Homebound for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Box, Budget Isolation Resolution relating to S. B. 141, was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Buskey (JE), Buskey (JL), Campbell, Carter, Clark (W), Crow, Curry, Davis, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW),

Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Payne, Penry, Petelos, Poole, Richardson, Seibels, Slaughter, Starkey, Thomas, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Willis, Wright and Zoghby.

—75

And the bill:

S. 141. To provide a law on deeds in lieu of foreclosure of real estate and provide definitions; set forth the effect of the transfer of the mortgagor's equity of redemption as to the rights and interest of the mortgagor; the rights and interest of the mortgagee; and the rights and interest of any person other than the mortgagor and mortgagee in the mortgaged property.

Was read a third time at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Black, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Crow, Curry, Davis, Dillard, Drake, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marietta, Marks, McClain, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Rains, Richardson, Seibels, Slaughter, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Willis, Wright and Zoghby.

—81

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Hettinger, Budget Isolation Resolution relating to S. B. 83, was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Britnell, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Lindsey, Marks, Mathis, McClain, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Rains, Richardson, Seibels, Slaughter, Starkey, Venable, Walker, Warren, White (F), White (G), Willis, Wright and Zoghby.

—79

And the bill:

S. 83. To provide for an Alabama Trade Secrets Act. To provide definitions, considerations for determining misappropriation, the remedies available for actual and threatened misappropriation and provide a two year statute of limitations.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grouby, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Rains, Richardson, Rogers, Seibels, Slaughter, Starkey, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—88

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1027. To make an appropriation from the State General Fund to the Commission on Aging for the Care Assurance System for the Aging and Homebound for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILL

The Speaker Pro Tem of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 269. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1988.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILL

The Speaker Pro Tem of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1023. To make an appropriation from the State General Fund to the Elyton Recovery Center for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1020. To make an appropriation from the State General Fund for certain Waterway Associations for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1022. To make an appropriation from the State General Fund to the Beacon House-Jasper for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Zoghby, Budget Isolation Resolution relating to S. B. 467, was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grouby, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Rains, Richardson, Rogers, Seibels, Starkey, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—83

And the bill:

S. 467. To amend Section 41-9-41, Code of Alabama 1975, which establishes the Alabama State Council on the Arts and Humanities, so as to change the name of said Council.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grouby, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Rains, Richardson, Rogers, Seibels, Slaughter, Starkey, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—86

BUDGET ISOLATION RESOLUTION

On motion of Rep. Warren, Budget Isolation Resolution relating to S. B. 254, was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Junkins, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Poole, Rains, Richardson, Rogers, Seibels,

Slaughter, Starkey, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Willis and Zoghby.

—82

And the bill:

S. 254. To amend Section 36-7-20, Code of Alabama 1975, which relates to state employees' expense allowances, so as to make the expense provision optional where employees attend training sessions provided by contract with the employing agency and where expenses for meals and per diem are paid by such contract.

Was read a third time at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Goodwin, Grayson, Grouby, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Petelos, Poole, Rains, Richardson, Rogers, Seibels, Slaughter, Starkey, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—81

BUDGET ISOLATION RESOLUTION

On motion of Rep. Davis, Budget Isolation Resolution relating to S. B. 148, was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Crow, Curry, Davis, Dillard, Faulk, Ford, Frazier, Freeman, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Hammett, Haynes, Hettinger, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McMillan, Mikell, Moon, Newman, Parker, Payne, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Starkey, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—79

And the bill:

S. 148. (With Amendment): To propose an amendment to the Constitution of Alabama of 1901 authorizing legislation to permit municipalities and counties to provide for the redevelopment and revitalization of areas within their corporate limits or boundaries by creating tax increment districts; to provide for the payment of all increased ad valorem taxes resulting from

such redevelopment or revitalization to the municipality or county which created the district until any indebtedness incurred with respect to such project has been paid; to provide that no such payment shall be made to the extent that it jeopardizes the payment of any bonded indebtedness secured by any tax applicable in the proposed district with respect to any such project; to provide that any such indebtedness shall not constitute a charge against any constitutional debt limit if it is payable solely from such increased ad valorem taxes; to ratify and approve legislation adopted in furtherance of the powers hereby conferred; and to provide for the adoption hereof.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Government, said committee amendment being as follows:

Amend S. B. 148, Page 2, Section 1, Line 14, after the words "proposed district" by adding the following: and subject to the mutual agreement of the municipality and county affected thereby

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Breedlove, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Grayson, Grouby, Hall, Hammett, Haynes, Hettinger, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McMillan, Mikell, Moon, Newman, Parker, Payne, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Starkey, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—80

And the bill, S. 148 as amended, was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Blake, Blakeney, Box, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Buskey (JL), Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Starkey, Thomas, Turner, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—82

BUDGET ISOLATION RESOLUTION

On motion of Rep. Davis, Budget Isolation Resolution relating to S. B. 149, was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blake, Blakeney, Box, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Lindsey, Logan, Marks, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—84

And the bill:

S. 149. To provide for the redevelopment and revitalization of municipalities and counties in this state and funding the costs thereof through tax increment financing; to authorize the creation of tax increment districts and the adoption of project plans with respect thereto and establish the procedures and requirements therefor; to establish procedures for determining the tax increment and the tax increment base; to permit the amendment of project plans; to provide for allocation of tax increments for such districts to the municipality or county that created the district and for the expiration of such allocations; to provide for the termination of such tax increment districts; to prescribe sources for paying project costs within such districts; to authorize indebtedness to be incurred for such costs, payable from such tax increments, and which may or may not be additionally secured by the full faith and credit of the issuer and other liens or covenants; to permit pay-as-you-go funding of projects; to permit overlapping districts; to provide for calculating the equalized assessment of taxable property within such districts and to permit withholding of tax increments to satisfy prior binding commitments.

Was read a third time at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Box, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Hall, Hamilton, Hammett, Harvey, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marks, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—81

BUDGET ISOLATION RESOLUTION

On motion of Rep. Box, Budget Isolation Resolution relating to S. B. 75, was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Blake, Blakeney, Box, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Petelos, Poole, Rains, Richardson, Rogers, Seibels, Slaughter, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—84

And the bill:

S. 75. To amend Code of Alabama 1975, §20-2-80 to further define the crime of trafficking in illegal drugs by adding to the list of drugs for which trafficking penalties are provided; to amend Code of Alabama 1975, §20-2-80(6) to replace the provision that a second violation of §20-2-80 is subject to a life without parole sentence with a provision that violations of it are Class A felonies for purposes of Title 13A, including sentencing under the Habitual Felony Offender Act, with certain provisos; to amend Code of Alabama 1975, §20-2-81(a) to further define the restriction on early, conditional, or temporary release of anyone convicted of violating §20-2-80; to amend Code of Alabama 1975, §20-2-81(b) to further define and restrict the circumstances in which the sentence of someone convicted of violating §20-2-80 may be reduced or suspended in return for assistance rendered law enforcement; to provide for incorporation of the provisions of this act into Title 13A of the Code of Alabama 1975; to repeal any conflicting laws or parts of laws; to specify the conduct to which this act applies; to provide for severability; and to provide an effective date.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Laird, Layson, Lindsey, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Payne, Penry, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—85

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1020. To make an appropriation from the State General Fund for certain Waterway Associations for the fiscal year ending September 30, 1988,

and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 1022. To make an appropriation from the State General Fund to the Beacon House-Jasper for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 1023. To make an appropriation from the State General Fund to the Elyton Recovery Center for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Richardson, Budget Isolation Resolution relating to S. B. 276, was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blakeney, Box, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Ford, Frazier, Freeman, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Hill, Hogan, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—80

And the bill:

S. 276. To amend Section 11-45-8, Code of Alabama 1975, to include other like codes with those codes listed which may be adopted by ordinance and by reference under the authority and procedures of said section.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Breedlove, Britnell, Bryant, Burke, Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Faulk, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Lindsey, Logan, Marks, Mathis, McClain, McKee, McMillan, Moon, Newman, Payne, Penry, Perdue, Petelos, Poole, Rains, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—84

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Manley:

S. J. R. 214. EXPRESSING LEGISLATIVE INTENT REGARDING H. B. 541 OF THE 1987 REGULAR SESSION OF THE LEGISLATURE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it was and is the intent of the Legislature that Section 1, Subsection (1) (b) 1. (viii) of House Bill 541 of the 1987 Regular session intended to refer to Act No. 87-550, Acts of Alabama, 1987. Act No. 87-550 was in reality House Bill 542 which was passed in conjunction with the other acts listed above.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Adams, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 214, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE GOVERNOR

To The House of Representatives of Alabama
Alabama State House
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor, returning House Bill No. 971, without the Governor's signature, but with the following suggested Executive Amendment.

Done this 23rd day of July, 1987.

Respectfully submitted,

JOHN E. GRENIER,
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The House of Representatives of Alabama
Alabama State House
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the body in which it originated, House Bill No. 971, without my signature, but with the following suggested Executive Amendment.

EXECUTIVE AMENDMENT TO HOUSE BILL NO. 971:

On page 1, line 4, after the word "collected" and before the word "each", insert the following language:

for Cleburne County and municipalities within Cleburne County

On page 1, line 17, after the word "collected" and before the word "each", insert the following language:

for Cleburne County and municipalities within Cleburne County

On page 1, line 24, after the word "receiving" and before the words "ad valorem", insert the following language:

local county and municipality

The adoption of the above suggested Executive Amendment will remove my objections to this Bill.

Done this 23rd day of July, 1987.

Respectfully,

GUY HUNT,
Governor.

GOVERNOR'S MESSAGE

On motion of Rep. Lindsey, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 971, said Executive amendment being set out in the above and foregoing Message from the Governor.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Breedlove, Britnell, Bryant, Bugg, Burke, Butler, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Hill, Hogan, Holmes, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Marks, Mathis, McClain, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Rains, Rogers, Seibels, Slaughter, Starkey, Turner, Turnham, Venable, Walker, White (F), White (G), White (L), Willis, Wright and Zoghby.

—78

MESSAGE FROM THE GOVERNOR

To The House of Representatives of Alabama
Alabama State House
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor, returning House Bill No. 689, without the Governor's signature, but with the following suggested Executive Amendment.

Done this 21st day of July, 1987.

Respectfully submitted,

JOHN E. GRENIER,
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The House of Representatives of Alabama
Alabama State House
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the body in which it originated, House Bill No. 689, without my signature, but with the following suggested Executive Amendment.

This amendment will resolve certain inconsistent language in the Bill.

EXECUTIVE AMENDMENT TO HOUSE BILL NO. 689:

On page 1, line 4, delete ~~Sheriff's Pistol Permit Fund~~ and in lieu thereof insert the following:

Sheriff's Law Enforcement Fund

On page 1, lines 15 and 16, delete ~~Sheriff's Pistol Permit Fund~~ and in lieu thereof insert the following:

Sheriff's Law Enforcement Fund

On page 1, line 17, delete the word ~~Sheriffs~~ and insert the following word:

Sheriff's

On page 1, line 23, delete the word ~~Sheriffs~~ and insert the following word:

Sheriff's

The adoption of the above suggested Executive Amendment will remove my objections to this Bill.

Done on this the 21st day of July, 1987.

Respectfully,

GUY HUNT,
Governor.

GOVERNOR'S MESSAGE

On motion of Rep. White (F), the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 689, said Executive amendment being set out in the above and foregoing Message from the Governor.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Breedlove, Britnell, Bryant, Burke, Buskey (JE), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Faulk, Flowers, Frazier, Freeman, Gaston, Goodwin, Gray, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Layson, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Turner, Turnham, Venable, Walker, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—78

MESSAGE FROM THE GOVERNOR

To The House of Representatives of Alabama
Alabama State House
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor, returning House Joint Resolution No. 250, without the Governor's signature, but with the following suggested Executive Amendment.

Done this 21st day of July, 1987.

Respectfully submitted,

JOHN E. GRENIER,
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The House of Representatives of Alabama
Alabama State House
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the body in which it originated, House Joint Resolution No. 250, without my signature, but with the following suggested Executive Amendment.

EXECUTIVE AMENDMENT TO HOUSE JOINT RESOLUTION NO. 250:

On page 1, lines 18 through 22, delete the following paragraph in its entirety:

> ~~RESOLVED FURTHER, That any personnel having supervisory responsibilities for any day-care center licensing~~

~~or monitoring personnel meet the qualification of "Senior Child Development Consultant" (Merit System Classification).~~

The adoption of the above suggested Executive Amendment will remove my objections to this Resolution.

Done on this the 21st day of July, 1987.

Respectfully,

GUY HUNT,
Governor.

GOVERNOR'S MESSAGE

On motion of Rep. Parker, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the resolution, H. J. R. 250, said Executive amendment being set out in the above and foregoing Message from the Governor.

RULE SUSPENDED

On motion of Rep. Payne, Rule 6(1) was suspended to accept the bill, H. 658 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 658. Relating to Jefferson County; to amend Section 4 and Section 6 of Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965 (Acts 1965, p. 797), as amended, relating to the Board of Directors for a civic center authority and to the civic center authority itself in certain counties classified on a population basis, so as to provide further for the procedure for selecting the members of such board, and to further provide additional powers of such authority.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Payne, the House concurred in and adopted the Senate amendment to the bill, H. 658, said Senate amendment being as follows:

Amend H. B. 658 on page 3, Section 2, line 38 by striking the ; after the word purchase

Further amend H. B. 658 on page 3, Section 2, line 39 by striking the word "imminent" and inserting in lieu thereof the word "eminent"

Yeas 68; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Carter, Cosby, Curry, Davis, Dillard, Faulk, Flowers,

Ford, Freeman, Gaston, Goodwin, Gray, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Hill, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kvalheim, Layson, Logan, Marks, Mathis, McClain, McDowell, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Richardson, Rogers, Slaughter, Starkey, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), Williams, Wright and Zoghby.

—68

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Biddle to suspend Rule 6(1) in order to receive the bill, H. 515, with Senate amendment was lost, lacking a four-fifths vote.

Yeas 9; Nays 6.

Yeas:

Reps. Adams, Biddle, Ford, Gray, McClain, Payne, Perdue, Petelos and Spratt.

—9

Nays: Reps. Beers, Curry, Seibels, Slaughter, White (G) and Wright. —6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RULE SUSPENDED

On motion of Rep. Petelos, Rule 6(1) was suspended to accept the bill, H. 639 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 639. To provide for the collection of special assessments by the appropriate official or employee of the county who is charged with the collection of property taxes or assessments in order to satisfy liens arising from the abatement of public nuisances caused by noxious or dangerous weeds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Petelos, the House concurred in and adopted the Senate amendment to the bill, H. 639, said Senate amendment being as follows:

Amend House Bill 639, Page 1, Lines 1 and 2, by striking out the following:

"1972 Regular"

after the word "the"

and inserting in lieu thereof the following:

"1971 3rd Special"

Amend House Bill 639, Page 1, Line 14, by striking out the following:

"1972 Regular"

after the word "the"

and inserting in lieu thereof the following:

"1971 3rd Special"

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Blakeney, Box, Breedlove, Brooks, Bryant, Carothers, Clark (W), Crow, Curry, Davis, Dillard, Faulk, Flowers, Frazier, Freeman, Gaston, Goodwin, Hall, Haynes, Headley, Hettinger, Hill, Hogan, Hooper, Johnson (RG), Junkins, Knight, Kvalheim, Laird, Layson, Logan, Marks, Mathis, McClain, McDowell, McMillan, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rogers, Seibels, Spratt, Starkey, Turnham, Walker, Warren, White (G), White (L), Willis, Wright and Zoghby.

—59

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Rep. Box offered the motion to reconsider the vote by which the bill, H. 1003, was lost, failing to receive a majority vote of the whole number elected to the House, and the motion to reconsider was adopted.

Rep. Clark (W) moved passage of the bill, H. 1003, the Governor's veto to the contrary notwithstanding.

SUBSTITUTE MOTION ADOPTED

On substitute motion of Rep. Clark (W), the bill, H. 1003, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Dial:

S. J. R. 209. NAMING THE NATIONAL GUARD ARMORY IN ASHLAND, CLAY COUNTY, ALABAMA, IN HONOR OF WILLIAM E. (PETE) PHILLIPS.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Laird, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 209, the title of which is set out in the above and foregoing Message from the Senate.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. White (L), the rules were suspended to receive introductions of resolutions.

RESOLUTIONS

The following resolutions were introduced:

By Rep. White (L):

H. J. R. 519. CREATING THE TALLAPOOSA COUNTY GOVERNMENTAL STUDY COMMISSION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created the Tallapoosa County Governmental Study Commission for the purpose of considering better government for Tallapoosa County, Alabama. The Study Commission shall be composed initially of 19 citizens appointed as follows: one each shall be appointed by the five members who shall constitute the county commission until January 14, 1991; one shall be appointed by the chairman of the county commission; one each shall be appointed by the five members of the county board of education; one each shall be appointed by the governing bodies of each municipality in the county; one each shall be appointed by legislators serving Tallapoosa County. The Study Commission, by a majority vote of those appointed, may add members if it deems such additions in the best interest of the county. Vacancies shall be filled by the original appointing authority.

BE IT FURTHER RESOLVED, That each appointing authority shall file with the chief clerk of the Tallapoosa County Probate Office the name, address and phone number of his or her appointee no later than Thursday, October 1, 1987. An organizational meeting shall be held at the county courthouse at 7:00 p.m., Thursday, October 8, 1987, for the purpose of electing a chairman, vice-chairman, secretary and a treasurer and such other officers as the Study Commission deems necessary. The secretary shall record all official actions of all meetings and make the same available to the public at an appropriate place in the courthouse. At the initial meeting, no official actions shall be taken except elections and a time fixed for the next meeting. Every effort shall be made to publicize all meetings of the Study Commission and all meetings shall be open to the public.

RESOLVED FURTHER, That Study Commission members shall serve without pay or expenses and no county funds shall be expended, but the county commission may provide clerical assistance and supplies when requested by the Study Commission chairman; provided, however, the Study Commission may accept contributions and expend same by majority vote of a quorum of the commission, with both the chairman and treasurer endorsing checks. A quorum for transacting any official business shall be one more than half the number serving.

BE IT FURTHER RESOLVED, That the Study Commission shall report its findings, conclusions and recommendations to the Tallapoosa

County governing body and to the Tallapoosa County legislative delegation no later than February 1, 1988, at which time the commission shall be dissolved.

BE IT FURTHER RESOLVED, That copies of this resolution shall be sent to each member of the Tallapoosa County Commission, each member of the Tallapoosa County Board of Education, and to the municipalities of Alexander City, Camp Hill, Dadeville, Daviston, New Site, and Tallassee.

On motion of Rep. White (L), the rules were suspended and the resolution, H. J. R. 519, was adopted.

Also:

By Rep. Marietta:

H. J. R. 520. COMMENDING DOUGLAS J. MCCALL FOR DISTINGUISHED SERVICE TO THE BAR PILOTS ASSOCIATION.

WHEREAS, the Alabama Legislature notes with highest commendation the distinguished service of Douglas J. McCall of Mobile, Alabama, as president of the Bar Pilots Association from 1973 until his retirement on July 31, 1987; and

WHEREAS, a "bar pilot," which is a professional designation requiring a number of years' tenure as a captain, is the status given to those who board ships to lead them in and out of harbor; and

WHEREAS, Captain McCall has indeed distinguished himself in service to the association, and has rendered invaluable service as well to the State of Alabama, as a fourth generation bar pilot since 1955, leading ocean-going vessels to safe passage and harbor from and to the Port of Mobile; and

WHEREAS, of special note is the close friendship that exists between Captain McCall and many members of the Legislature who sincerely wish him every happiness and life's many joys in retirement; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding service to the Bar Pilots Association and the State of Alabama, we hereby commend Captain Douglas J. McCall, whom we hold in highest regard and for whom a copy of this resolution shall be provided.

On motion of Rep. Marietta, the rules were suspended and the resolution, H. J. R. 520, was adopted.

Also:

By Reps. Coburn, White (F), Holley, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham,

Venable, Walker, Warren, White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 521. NAMING THE NEW "SUPERCOMPUTER" BUILDING, NOW UNDER CONSTRUCTON AT THE UNIVERSITY OF ALABAMA IN HUNTSVILLE, IN HONOR OF GOVERNOR GEORGE C. WALLACE.

WHEREAS, Governor George C. Wallace, during his last administration, envisioned and proposed a vast supercomputer network to serve as a statewide resource to support all of our state's research universities and private industry as well; and

WHEREAS, when funding for the center through an educational bond issue failed, Governor Wallace persevered, initiating and securing the necessary funds through the appropriation process whereby our state has made a multi-million dollar commitment to the project; and

WHEREAS, by executive order, Governor Wallace established the Alabama Supercomputer Network Authority to formulate policies for the operation of the Authority and the establishment and operation of the Network; and

WHEREAS, Governor Wallace's dream to place our state in the national forefront of research and development is now to become reality with the construction of the $2.5 million computer network facility at the University of Alabama in Huntsville on land donated to the state by the City of Huntsville for this purpose; and

WHEREAS, a contract also has been signed with the Boeing Company for the computer and its operation and the State of Alabama soon will boast the first such unique program in the nation and the world; and

WHEREAS, it is entirely appropriate and desirable that Governor Wallace be honored for his instrumental role in this outstanding program which has brought distinction to the State of Alabama as a center for research and development; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby name and designate the supercomputer building under construction at the University of Alabama in Huntsville, the "George C. Wallace Supercomputer Center" and do further authorize the erection and maintenance of appropriate signs and markers so designating said center.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Governor Wallace as a memento of this honorary designation by the Alabama Legislature.

On motion of Rep. Coburn, the rules were suspended and the resolution, H. J. R. 521, was adopted.

Also:

By Rep. Johnson (RG):

H. J. R. 522. CREATING A JOINT INTERIM COMMITTEE ON THE EFFECTS OF UNEMPLOYMENT COMPENSATION ON SMALL BUSINESS.

WHEREAS, the Alabama Legislature is concerned about the effects of Unemployment Compensation on Small Business in the State of Alabama

which requires further study in depth and requires positive recommendations to the Legislature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in order to further suggest to the state legislators sound, workable, financially feasible and economically possible recommendations concerning the effects of Unemployment Compensation on small business there is hereby organized a Joint Interim Committee on the study of such effects, to be composed of six (6) members of the Legislature: three (3) from the House to be appointed by the Speaker of the House, and three (3) members from the Senate to be appointed by the Lieutenant Governor. Each member of the Joint Interim Committee shall serve without pay. In addition to the legislative members, the following nonvoting members, from the public, shall be: The director of the Alabama Development Office's Small Business Advocacy Office, the state director of the National Federation of Independent Business, and a total of three small business owners, with one from each the central, southern and northern regions of the state, all of whom shall be selected by the state director of the National Federation of Independent Business. These nonvoting members shall serve without pay and shall give such expertise and perform such tasks as may be assigned by the full committee. It shall be the duty and function of the committee to analyze the present effects of Unemployment Compensation on small business and to make recommendations for legislative revision which it considers necessary or desirable to enable the state to address these effects on small business.

In reviewing the status and the pertinent laws in Alabama, the committee shall consider and make studies of Unemployment Compensation laws and regulations at both the state and federal levels, together with associated problems.

BE IT FURTHER RESOLVED, That the committee shall elect a chairman and co-chairman from among the voting members and shall elect officers from among the membership. The committee shall provide for its own rules of procedure to conduct its business and shall meet at the call of the chair.

RESOLVED FURTHER, That the committee shall report its findings and recommendations by the fifth legislative day of the 1988 Regular Session at which time the committee shall stand discharged of any further duties and responsibilities and shall be dissolved.

On motion of Rep. Johnson (RG), the rules were suspended and the resolution, H. J. R. 522, was adopted.

Also:

By Rep. Lindsey:

H. J. R. 523. COMMENDING ARTHUR W. WILSON FOR DISTINGUISHED SERVICE ON THE CHEROKEE COUNTY DEMOCRATIC COMMITTEE.

WHEREAS, the Alabama Legislature notes with highest commendation the distinguished and invaluable service rendered by Arthur W. Wilson as a member of the Cherokee County Democratic Committee for 37 years; and

WHEREAS, in addition, however, to meritorious tenure with the Democratic Committee, Mr. Wilson also served with distinction on the Cherokee County Jury Commission for 35 years; and

WHEREAS, Arthur W. Wilson, who is a veteran of World War I, a lifelong farmer and a Mason, is a member of the Forney Masonic Lodge and is the recipient of the 50-year pin and a 66-year membership plaque; he further is a member of Ebenezer United Methodist Church where he has served on the Administrative Board since 1922; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Arthur W. Wilson for outstanding service to the Cherokee County Democratic Committee and to the community, and do further direct that Mr. Wilson receive a copy of this resolution that he and his family may know of our sincere admiration and warmest personal regard.

On motion of Rep. Lindsey, the rules were suspended and the resolution, H. J. R. 523, was adopted.

Also:

By Rep. Rains:

H. J. R. 524. COMMENDING VANCE MAYFIELD FOR DISTINGUISHED SERVICE TO THE FORT PAYNE ADULT ACTIVITY TRAINING CENTER.

WHEREAS, the Alabama Legislature notes with highest commendation the distinguished service rendered by Vance Mayfield as director of the Fort Payne Adult Activity Training Center for the past four years; and

WHEREAS, a resident of the Whiton Community near Geraldine, Mr. Mayfield was a teacher for sixteen years prior to joining the Fort Payne agency, a federally funded program that works in conjunction with the Lurleen B. Wallace Center in Decatur; and

WHEREAS, Vance Mayfield has indeed distinguished himself in service to this commendable program, and to the many clients the agency has provided with classroom instruction and training to enable them to become independent through private employment; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of distinguished service as director of the Fort Payne Adult Activity Training Center and as a former educator, we hereby commend Vance Mayfield of Whiton, Alabama, whom we wish every happiness and success in retirement; whom we hold in highest personal regard; and for whom a copy of this resolution shall be provided.

On motion of Rep. Rains, the rules were suspended and the resolution, H. J. R. 524, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Rains:

H. R. 525. COMMENDING VANCE MAYFIELD FOR DISTINGUISHED SERVICE TO THE FORT PAYNE ADULT ACTIVITY TRAINING CENTER.

Also:

The following resolution was introduced:

By Rep. Buskey (JL):

H. J. R. 526. DIRECTING THE ALABAMA REAL ESTATE COMMISSION THROUGH ITS RULE-MAKING POWERS TO EXEMPT CERTAIN MEMBERS OF THE ALABAMA LEGISLATURE AND CERTAIN OTHERS FROM CONTINUING EDUCATION REQUIREMENTS FOR RENEWAL OF A REAL ESTATE SALESMAN OR BROKER LICENSE.

WHEREAS, the realtor-members of the Alabama Legislature are not only cognizant of, but are participants in, the drafting, hearing and debating as well as voting on all the laws of this state relating to real estate, and the clerk of the house and the secretary of the senate are active participants therein; and

WHEREAS, the purposes, goals and efficacy of the requirements for continuing education are to inform the realtors about the existence and language of the laws which the realtor-legislators, clerk of the house and secretary of the senate, in many instances, have designed or perfected; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do respectfully direct the Real Estate Commission, or a majority of them, pursuant to their rule-making powers, to exempt current and future members of the senate of Alabama and its secretary and the Alabama house of representatives and its clerk, during each calendar year during which they hold such office, from the continuing education requirements for renewal of a real estate salesman or broker license.

BE IT FURTHER RESOLVED, That sufficient copies of this resolution shall be sent to the Real Estate Commission so that the members may consider our petition.

The motion offered by Rep. Buskey (JL) to suspend the rules in order to adopt the resolution, H. J. R. 526, was lost.

Yeas 9; Nays 23.

Yeas:

Reps. Brooks, Bryant, Buskey (JL), Grayson, Grouby, Holley, Johnson (RW), Kennedy and Melton.

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Nays:

Reps. Adams, Blake, Blakeney, Freeman, Gaston, Gray, Headley, Hooper, Junkins, Kvalheim, Lindsey, McKee, McMillan, Moon, Payne, Penry, Petelos, Richardson, Seibels, Spratt, Walker, Wright and Zoghby.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Flowers, Budget Isolation Resolution relating to S. B. 697, was adopted.

Yeas 49; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Blake, Blakeney, Bowling, Brooks, Bryant, Cosby, Crow, Dillard, Escott, Faulk, Flowers, Gaston, Grayson, Grouby, Hammett, Harper, Headley, Hettinger, Hill, Holmes, Hooper, Kennedy, Kvalheim, Laird, Layson, Marks, Mathis, McClain, McMillan, Moon, Newman, Parker, Penry, Perdue, Petelos, Poole, Seibels, Starkey, Venable, Walker, White (G), White (L), Williams, Willis and Wright.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 697. Relating to Dale County; providing an additional county expense allowance for members of the county board of registrars, payable from any county funds; and providing for cumulative and retroactive effect to October 1, 1986.

Was read a third time at length and passed.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Blake, Blakeney, Bowling, Brooks, Bryant, Buskey (JL), Carothers, Coburn, Cosby, Crow, Dillard, Drake, Escott, Faulk, Flowers, Frazier, Gaston, Grayson, Grouby, Hammett, Harper, Headley, Hettinger, Hill, Hogan, Hooper, Junkins, Kennedy, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McMillan, Mikell, Moon, Newman, Parker, Penry, Petelos, Poole, Richardson, Seibels, Spratt, Venable, White (G), White (L), Williams, Willis and Wright.

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RESOLUTIONS

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Frazier and Hogan:

H. R. 527. CONGRATULATING THE STATE CHAMPION CORDOVA SENIOR DIZZY DEAN TEAM.

Also:

The following resolution was introduced:

By Rep. Bugg:

H. R. 528. DIRECTING THE CHANCELLOR OF POST SECONDARY EDUCATION TO TAKE NECESSARY ACTION TO INSURE THAT

A CERTAIN APPROPRIATION MADE IN THE 1987-88 SPECIAL EDUCATIONAL TRUST FUND BUDGET TO GADSDEN STATE COMMUNITY COLLEGE BE USED FOR GADSDEN STATE TECHNICAL INSTITUTE.

WHEREAS, Gadsden State Technical Institute is an integral component of Gadsden State Community College and was inadvertently omitted from the distribution formula for appropriations made to the technical college system in the 1987-88 Special Educational Trust Fund Budget Act; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we do hereby direct that the Chancellor of Post Secondary Education take the necessary action to insure that the funds he distributes to Gadsden State Community College as authorized on page 28, lines 35 and 36 of the Act which House Bill 269 of the 1987 Regular Session of the Legislature became (the Special Educational Trust Fund Budget Act for the 1987-88 fiscal year), shall be used for Gadsden State Technical Institute.

RESOLVED FURTHER, That it is the intent of the Legislature that the aforementioned funds as allocated in said budget to Gadsden State Community College are meant to be distributed by said Chancellor in such a manner that they will be used for Gadsden State Technical Institute.

On motion of Rep. Bugg, the rules were suspended and the resolution, H. R. 528, was adopted.

MOTION TO RECESS

The motion offered by Rep. Warren, that the House recess from 6:00 o'clock p.m. until 8:00 o'clock p.m., was adopted.

RULE SUSPENDED

On motion of Rep. Fuller, Rule 6(1) was suspended to accept the bill, H. 1143 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1143. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Shakespeare Festival for the fiscal year 1987-88 and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Fuller, the House concurred in and adopted the Senate amendment to the bill, H. 1143, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Shakespeare Festival for the fiscal year 1987-88 and

to require an operations plan and audited financial statement prior to release of any funds; to require the condition of the donation of certain student tickets; to require the continuation of student discounts; and to require the reversion of funds appropriated upon certain violations of the provisions of this act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the fiscal year 1987-88, there is hereby appropriated to the Alabama Shakespeare Festival, for the support and maintenance of said program from the Alabama Special Educational Trust Fund, the sum of seven hundred fifty thousand dollars ($750,000).

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1987-88, an operations plan for fiscal year 1986-87 and an audited financial statement for all operations during fiscal year 1985-86 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1987-88 funds following receipt of these reports.

Section 3. During fiscal year 1987-88, the Alabama Shakespeare Festival shall donate 2,500 tickets to any Alabama Shakespeare Festival event to registered students in Alabama city and county school systems. The school system applying for the tickets shall determine which students shall receive the tickets.

Section 4. Present discounts to students attending Alabama Shakespeare Festival events shall be required to continue in practice in order that the Alabama Shakespeare Festival receive and keep the funds appropriated in this act.

Section 5. If the Alabama Shakespeare Festival does not continue the present student discount practice required in Section 4 of this act, or if the Alabama Shakespeare Festival does not donate student tickets required by Section 3 of this act, then any funds received by the Alabama Shakespeare Festival shall revert to the Alabama Special Educational Trust Fund.

Section 6. This act shall become effective October 1, 1987.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Blake, Blakeney, Breedlove, Brooks, Bryant, Bugg, Buskey (JL), Carothers, Coburn, Cosby, Crow, Curry, Dillard, Drake, Escott, Faulk, Frazier, Freeman, Fuller, Goodwin, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Hettinger, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Richardson, Rogers, Seibels, Slaughter, Spratt, Venable, Walker, White (G), White (L), Williams, Willis, Wright and Zoghby.

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RULE SUSPENDED

On motion of Rep. Seibels, Rule 6(1) was suspended to accept the bill, H. 1134 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1134. To make an appropriation from the Alabama Special Educational Trust Fund to the Children's Hospital in Birmingham, Alabama, for the fiscal year 1987-88 and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Seibels, the House concurred in and adopted the Senate amendment to the bill, H. 1134, said Senate amendment being as follows:

Amend H. B. 1134 as follows:

In Section 1, line 25, delete "three" and insert in lieu thereof the word four

On line 26 delete the sum "($300,000)" and insert in lieu thereof ($400,000).

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Buskey (JE), Butler, Carothers, Clark (W), Coburn, Crow, Dillard, Drake, Escott, Faulk, Frazier, Freeman, Gaston, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Richardson, Rogers, Seibels, Spratt, Starkey, Turnham, Venable, Walker, White (G), White (L), Willis, Wright and Zoghby.

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SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Moon, Budget Isolation Resolution relating to S. B. 44, was adopted.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Black, Blakeney, Box, Breedlove, Britnell, Bryant, Bugg, Burke, Butler, Crow, Curry, Dillard, Escott, Faulk, Frazier, Freeman, Gaston, Grouby, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Hill, Hogan, Holmes, Hooper, Johnson (RG), Junkins, Knight, Kvalheim, Laird, Lindsey, Marks, Mathis, McClain, McKee, McMillan, Mikell, Moon, Parker,

Payne, Penry, Petelos, Poole, Rains, Spratt, Warren, White (G), Willis, Wright and Zoghby.

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And the bill:

S. 44. To amend Sections 41-16-54 and 41-16-55, Code of Alabama 1975, as amended, by changing the figure "$2,000.00" wherever same appears to the figure "$3,000.00" to conform to Section 41-16-50 Code of Alabama 1975, as heretofore amended.

Was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Black, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JL), Butler, Carter, Coburn, Crow, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Grouby, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Parker, Payne, Penry, Petelos, Poole, Rains, Rogers, Spratt, Venable, Warren, White (G), White (L), Willis, Wright and Zoghby.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 55. To establish an Alabama Men's Hall of Fame; prescribes its purposes and membership; and provides for election of members and officers and for holding of meetings.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 397. This bill amends Section 40-23-26, Code of Alabama 1975 to provide that any over collection of sales tax by a retailer from the customer is paid over to the state and not retained by the retailer as a windfall to enhance the net profits of the business, unless such over collection results solely from rounding the correct amount of tax upward to the nearest cent.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 454. To reopen the Teachers' Retirement System of Alabama for certain nonmembership service; to provide that as a prerequisite to obtaining such credit, said members must be active and contributing members of the Teachers' Retirement System of Alabama, and to provide that this act shall take effect October 1, 1987, and to provide for its termination on October 1, 1988.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 844. To allow United States retired military persons to purchase distinctive motor vehicle license plates or tags; to prohibit the transfer of such plates; to prescribe the manner of charging for such license plates or tags; and to provide for the duties and powers of the commissioner of revenue, the probate judge or license commissioner.

Also:

H. 853. Relating to Pike County; levying certain additional court costs and providing that the proceeds shall be utilized for the establishment of a legislative delegation office.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1024. To make an appropriation from the State General Fund to certain Industrial Parks for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 1141. To make an appropriation for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 396. To amend Sections 40-23-61 and 40-23-63, Code of Alabama 1975, to provide that any overcollection of use tax by a retailer from the customer is to be paid over to the state and not retained by the retailer as a windfall to enhance the net profits of the business.

Also:

S. 641. To make an appropriation from the Alabama Special Educational Trust Fund and the State General Fund for the fiscal year 1987-88, for the use of a sickle cell education program, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

S. 680. To make appropriations from the Alabama Special Educational Trust Fund to the United Cerebral Palsy of Alabama and the United Cerebral Palsy Development Center for East Central Alabama and from the State General Fund for the Simpson-May Cerebral Palsy Center for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

S. 155. To amend Section 29-2-41, Code of Alabama 1975, which relates to the Contract Review Permanent Legislative Oversight Committee, so as to provide further for the committee's authority to review state contracts.

Also:

S. 515. To amend Section 38-7-2, Code of Alabama 1975, relating to child care, so as to redefine the term "day care home" and provide further therefor.

Also:

S. 676. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama League for Advancement of Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

S. 215. To provide that a trust company or other financial institution with trust powers may, in its fiduciary capacity, purchase bonds or other securities underwritten by the financial institution or by a syndicate which includes the financial institution or an affiliate of the financial institution.

Also:

S. 214. To amend Section 16-13-99, Code of Alabama 1975, to eliminate therefrom the schedule of maximum fees to be paid a paying agent bank for the services performed and expenses incurred in acting as paying agent, and to authorize boards of education to compensate paying agent banks in amounts deemed reasonable by the board of education.

Also:

S. 264. To amend section 9-3-10.1, Code of Alabama 1975, which provides for the emergency forest fire fund, so as to change the name to the emergency forest fire, insects and disease fund and to increase the ceiling on the appropriation to the fund.

Also:

S. 345. To amend Section 36-21-2, Code of Alabama 1975, which provides for subsistence allowance for certain law enforcement officers, so as to provide a subsistence allowance for any law enforcement officer of the state of Alabama who is employed by the Liquefied Petroleum Gas Board.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION TAKEN UP

Rep. Layson offered the motion to adopt the Budget Isolation Resolution relating to the bill, S. 203.

BUDGET ISOLATION RESOLUTION TEMPORARILY POSTPONED

On motion of Rep. Holmes, consideration of the Budget Isolation Resolution relating to the bill, S. 203, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 536. To require the state to provide subsidized child day-care services for a certain minimum number of eligible children, and to provide for a conditional, supplemental appropriation for fiscal year beginning October 1, 1987, for a certain amount of additional eligible children.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 403. To provide that the annual state salary payable to circuit clerks and registers, effective January 16, 1989, shall be $40,000 and to provide

that such increase shall in no event cause a register's state salary to exceed $40,000.

McDOWELL LEE,
Secretary.

RECESS

The hour of 6:00 o'clock p.m. having arrived and pursuant to the motion heretofore adopted, the House recessed until 8:00 o'clock p.m.

HOUSE RECONVENED

The hour of 8:00 o'clock p.m. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 141. To provide a law on deeds in lieu of foreclosure of real estate and provide definitions; set forth the effect of the transfer of the mortgagor's equity of redemption as to the rights and interest of the mortgagor; the rights and interest of the mortgagee; and the rights and interest of any person other than the mortgagor and mortgagee in the mortgaged property.

Also:

S. 55. To establish an Alabama Men's Hall of Fame; prescribes its purposes and membership; and provides for election of members and officers and for holding of meetings.

Also:

S. 487. Relating to Dale County; providing for the chairman of the county commission; amending Section 2 and repealing Section 3 of Act No. 1955, H. 1827, Regular Session 1971 (Acts 1971, p. 3174), which provides for the chairman of such commission, so as to transfer such office and duties to the judge of probate who shall be the chairman ex officio; providing that the duties and the compensation of such chairman shall be as provided by law; providing no ballot shall contain the office of chairman of county commission separate from the judge of probate.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. J. R. 214. EXPRESSING LEGISLATIVE INTENT REGARDING H. B. 541 OF THE 1987 REGULAR SESSION OF THE LEGISLATURE.

Also:

S. 536. To require the state to provide subsidized child day-care services for a certain minimum number of eligible children, and to provide for a conditional, supplemental appropriation for fiscal year beginning October 1, 1987, for a certain amount of additional eligible children.

Also:

S. 75. To amend Code of Alabama 1975, §20-2-80 to further define the crime of trafficking in illegal drugs by adding to the list of drugs for which trafficking penalties are provided; to amend Code of Alabama 1975, §20-2-80(6) to replace the provision that a second violation of §20-2-80 is subject to a life without parole sentence with a provision that violations of it are Class A felonies for purposes of Title 13A, including sentencing under the Habitual Felony Offender Act, with certain provisos; to amend Code of Alabama 1975, §20-2-81(a) to further define the restriction on early, conditional, or temporary release of anyone convicted of violating §20-2-80; to amend Code of Alabama 1975, §20-2-81(b) to further define and restrict the circumstances in which the sentence of someone convicted of violating §20-2-80 may be reduced or suspended in return for assistance rendered law enforcement; to provide for incorporation of the provisions of this act into Title 13A of the Code of Alabama 1975; to repeal any conflicting laws or parts or laws; to specify the conduct to which this act applies; to provide for severability; and to provide an effective date.

Also:

S. 149. To provide for the redevelopment and revitalization of municipalities and counties in this state and funding the costs thereof through tax increment financing; to authorize the creation of tax increment districts and the adoption of project plans with respect thereto and establish the procedures and requirements therefor; to establish procedures for determining the tax increment and the tax increment base; to permit the amendment of project plans; to provide for allocation of tax increments for such districts to the municipality or county that created the district and for the expiration of such allocations; to provide for the termination of such tax increment districts; to prescribe sources for paying project costs within such districts; to authorize indebtedness to be incurred for such costs, payable from such tax increments, and which may or may not be additionally secured by the full faith and credit of the issuer and other liens or covenants; to permit pay-as-you-go funding of projects; to permit overlapping districts; to provide for calculating the equalized assessment of taxable property within such districts and to permit withholding of tax increments to satisfy prior binding commitments.

Also:

S. 276. To amend Section 11-45-8, Code of Alabama 1975, to include other like codes with those codes listed which may be adopted by ordinance and by reference under the authority and procedures of said section.

Also:

S. 83. To provide for an Alabama Trade Secrets Act. To provide definitions, considerations for determining misappropriation, the remedies available for actual and threatened misappropriation and provide a two year statute of limitations.

Also:

S. 254. To amend Section 36-7-20, Code of Alabama 1975, which relates to state employees' expense allowances, so as to make the expense provision optional where employees attend training sessions provided by contract with the employing agency and where expenses for meals and per diem are paid by such contract.

Also:

S. 467. To amend Section 41-9-41, Code of Alabama 1975, which establishes the Alabama State Council on the Arts and Humanities, so as to change the name of said Council.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 635. To amend §40-12-262, Code of Alabama 1975, relating to trip permits; and to require cab cards of international registration plan vehicles be present in the vehicle; to provide for temporary trip permits; to provide penalties for violations of this section.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 521. NAMING THE NEW "SUPERCOMPUTER" BUILDING, NOW UNDER CONSTRUCTION AT THE UNIVERSITY OF ALABAMA IN HUNTSVILLE, IN HONOR OF GOVERNOR GEORGE C. WALLACE.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 13. To amend Sections 32-8-2 and 32-8-87 of the Uniform Certificate of Title and Antitheft Act so as to define the terms "scrap metal processor" and "scrap vehicle," to provide further for the persons who must mail certain certificates to the Department of Revenue when a vehicle is scrapped, dismantled, destroyed or changed, to alter the time period when certain documents must be delivered to the Department of Revenue; to remove the requirement that the vehicle's identification number plates and license plate(s) must be returned to the Department of Revenue in certain instances when the vehicle is changed or is damaged to a certain extent or when total loss or salvage has occurred or total loss due to theft of the vehicle has occurred; to remove the requirement that the title of a rebuilt motor vehicle must be stamped rebuilt in certain instances; to reduce the criminal penalty imposed against certain persons for possessing a motor vehicle which is junk or salvage or a total loss when certain identification has been removed; to reduce the criminal penalty imposed against any person who shall authorize, direct, aid in or consent to the possession, sale or exchange or offer to sell, exchange or give away certain certificates or forms of identification of a motor vehicle which has been scrapped, dismantled or sold as junk or salvage or as a total loss; and to remove owners of scrap metal processing plants from the provision providing that it shall be unlawful for certain owners to have in their possession any motor vehicle which is junk, salvage or a total loss when certain identification has been removed.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 903. Relating to the office of state treasurer, to authorize the treasurer to hire one additional employee, not subject to the state merit system, who shall serve at the pleasure of the treasurer; to provide the benefits, rights and privileges of other state employees to the said additional employee; and to authorize the treasurer to set the salary of the additional employee at an amount not to exceed the maximum payable to assistant department heads in the executive branch of government.

Also:

H. 1034. To make a supplemental appropriation of $68,500 from the Alabama Credit Union Administration Fund to the Alabama Credit Union Administration for the fiscal year ending September 30, 1987.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 973. Relating to health care authorities organized or reincorporated pursuant to the provisions of Act No. 82-418 enacted at the 1982 Regular Session of the Legislature (article 11 of chapter 21 of Title 22 of the Code of Alabama 1975, as amended); to make certain findings with respect to such health care authorities; to grant to any such health care authority the limited power to amend its certificate of incorporation or certificate of reincorporation (without the necessity of any approvals or consents, other than that of its board of directors, that would otherwise be required) so as to provide that any of the members of its board of directors required to be elected or appointed by the governing body of any county or municipality that authorized the organization or reincorporation of such health care authority shall be elected only from a list of nominees (not less than three in number) proposed by its board of directors; to grant to any such health care authority the additional power to issue (and provide security for) bonds, notes, and other obligations and securities that are not limited as to source of payment and that are general obligations of such health care authority; to make further provision with respect to the furnishing by a health care authority of office space to nonhospital-based physicians, dentists or other health care professionals; and to provide further for investments of proceeds from the sale of securities and other moneys of a health care authority.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1042. To amend Section 6 of Act No. 350, S. 434, 1971 Regular Session of the Legislature (Acts 1971, p. 642), relating to planning commissions in certain cities classified on a population basis (the City of Montgomery in Montgomery County), so as to provide further for certain procedures relating to the meetings of such commissions.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 397. This bill amends Section 40-23-26, Code of Alabama 1975 to provide that any over collection of sales tax by a retailer from the customer is paid over to the state and not retained by the retailer as a windfall to enhance the net profits of the business, unless such over collection results solely from rounding the correct amount of tax upward to the nearest cent.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 454. To reopen the Teachers' Retirement System of Alabama for certain nonmembership service; to provide that as a prerequisite to obtaining such credit, said members must be active and contributing members of the Teachers' Retirement System of Alabama, and to provide that this act shall take effect October 1, 1987, and to provide for its termination on October 1, 1988.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Bedsole:

S. J. R. 217. COMMENDING THE BURLINGTON NORTHERN FOUNDATION FOR ITS GENEROSITY TO SPRING HILL COLLEGE, MOBILE, ALABAMA.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Kvalheim, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 217, the title of which is set out in the above and foregoing Message from the Senate.

RULE SUSPENDED

On motion of Rep. White (L), Rule 6(1) was suspended to accept the bill, H. 989 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 989. Relating to Tallapoosa County; to authorize the Tallapoosa County Commission to impose excise taxes on persons, corporations, partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county; to provide for the collection and payment of such taxes and to provide the distribution and the use of the funds derived therefrom; to authorize the Tallapoosa County Commission to make reasonable rules and regulations for the collection of such taxes; to provide the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Tallapoosa County Commission for the collection of said taxes; and to provide that the tax shall expire on December 31, 1988.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. White (L), the House concurred in and adopted the Senate amendment to the bill, H. 989, said Senate amendment being as follows:

On page 8, after line 14, insert the following language as a new Section 12 and renumber the existing Section 12 and subsequent sections accordingly.

Section 12. The provisions of this act shall not apply to bulk sales of gasoline or motor fuels.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Black, Blakeney, Box, Breedlove, Brooks, Bryant, Crow, Curry, Flowers, Frazier, Freeman, Gaston, Hall, Hammett, Headley, Hettinger, Hill, Hogan, Holmes, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Logan, Marks, McClain, Mikell, Moon, Newman, Payne, Poole, Rains, Reed, Rogers, Seibels, Slaughter, Spratt, Thomas, Turnham, Venable, Warren, White (G), White (L), Willis, Wright and Zoghby.

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Penry, Budget Isolation Resolution relating to S. B. 610, was adopted.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Crow, Curry, Dillard, Flowers, Frazier, Freeman, Gaston, Grouby, Hall, Hamilton, Hammett, Headley, Hettinger, Hill, Hogan, Kennedy, Knight, Kvalheim, Laird, Layson, Logan, Marks, McClain, McMillan, Moon, Parker, Payne, Penry, Petelos, Rains, Reed, Seibels, Slaughter, Spratt, Turner, Turnham, Venable, White (G), White (L), Willis and Wright.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 610. To remove certain property from within the municipal limits of the Town of Summerdale in Baldwin County.

Was read a third time at length and passed.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Clark (W), Crow, Curry, Dillard, Flowers, Frazier, Gaston, Grouby, Hall, Hamilton, Hammett, Headley, Hettinger, Hill, Hogan, Holmes, Hooper, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, McClain, McMillan, Mikell, Moon, Newman, Parker, Penry, Petelos, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Thomas, Turner, Turnham, Venable, Walker, White (G), White (L), Willis, Wright and Zoghby.

—58

BUDGET ISOLATION RESOLUTION

On motion of Rep. Penry, Budget Isolation Resolution relating to S. B. 660, was adopted.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Butler, Carothers, Crow, Curry, Dillard, Frazier, Freeman, Gaston, Grouby, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Hill, Hogan, Holmes, Kennedy, Knight, Kvalheim, Laird, Layson, Logan, Marks, Mathis, McClain, McMillan, Mikell, Moon, Parker, Payne, Penry, Petelos, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Turner, Turnham, Venable, Warren, White (G), White (L), Williams, Willis, Wright and Zoghby.

—60

And the bill:

S. 660. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Orange Beach,

in Baldwin County; to provide for a referendum election of the qualified electors who reside within the territory proposed to be brought within the municipal limits of Orange Beach.

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Blake, Blakeney, Box, Breedlove, Brooks, Bryant, Burke, Butler, Carothers, Clark (W), Crow, Curry, Dillard, Faulk, Flowers, Frazier, Freeman, Gaston, Grouby, Hall, Hammett, Haynes, Headley, Hettinger, Hill, Hogan, Holmes, Hooper, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McDowell, McMillan, Mikell, Moon, Parker, Payne, Penry, Petelos, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Warren, White (G), Williams, Willis, Wright and Zoghby.

—67

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Zoghby, the rules were suspended in order to take up out of order the bill, S. 447.

Yeas 11; Nays 0.

Yeas:

Mr. Speaker, Clark (W), Gaston, Grouby, Harper, Haynes, Kennedy, Kvalheim, Laird, Marietta and Zoghby.

—11

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 447. Relating to Mobile County; to amend Act No. 751, S. 599, 1967 Regular Session, as amended, which provides for funds from the general funds of the several incorporated municipalities in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, so as to provide further for said funding.

Was read a third time at length and passed.

Yeas 15; Nays 1.

Yeas:

Mr. Speaker, Gaston, Grouby, Haynes, Holmes, Kennedy, Kvalheim, Laird, McMillan, Moon, Penry, Rains, Richardson, Slaughter and Zoghby.

—15

Nay: Rep. Turner.

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 639. To provide for the collection of special assessments by the appropriate official or employee of the county who is charged with the collection of property taxes or assessments in order to satisfy liens arising from the abatement of public nuisances caused by noxious or dangerous weeds.

Also:

H. 844. To allow United States retired military persons to purchase distinctive motor vehicle license plates or tags; to prohibit the transfer of such plates; to prescribe the manner of charging for such license plates or tags; and to provide for the duties and powers of the commissioner of revenue, the probate judge or license commissioner.

Also:

H. 853. Relating to Pike County; levying certain additional court costs and providing that the proceeds shall be utilized for the establishment of a legislative delegation office.

Also:

H. 1024. To make an appropriation from the State General Fund to certain Industrial Parks for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

H. 1003 AGAIN TAKEN UP

On motion of Rep. Clark (W), the bill, H. 1003, which previously was temporarily postponed, was again taken up.

The question was then on the passage of the bill, H. 1003, the Governor's veto to the contrary notwithstanding, and the bill, H. 1003, was again read at length and lost, failing to receive a majority of the whole number elected to the House.

Yeas 45; Nays 12.

Yeas:

Mr. Speaker, Black, Blake, Box, Bryant, Bugg, Buskey (JE), Buskey (JL), Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Davis, Escott, Faulk, Ford, Freeman, Fuller, Grayson, Harper, Haynes, Hettinger, Holmes, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Lindsey, Marietta, McClain, McDowell, Newman, Perdue, Reed, Rogers, Seibels, Slaughter, Spratt, Thomas, White (L), Williams and Zoghby.

—45

Nays:

Reps. Adams, Blakeney, Britnell, Gaston, Kvalheim, Mathis, Mikell, Rains, Turner, Walker, Warren and White (F).

—12

RULE SUSPENDED

On motion of Rep. Payne, Rule 6(1) was suspended to accept the bill, H. 349 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 349. To provide, for an additional fee, to owners of motor vehicles special license tags or plates which represent the various institutions of higher learning in this state; to provide for the design of said tags or plates; to authorize the revenue department to adopt such rules and regulations as are necessary to implement the provisions hereof and to require the department to furnish lists of said tags to sheriffs of this state; to require the removal of said special school tags upon the sale of a motor vehicle; to prohibit unauthorized use of such tags; to name this act the "Martin-Estes-Campbell Act"; to provide for the distribution of the net proceeds of such fees to the general scholarship funds of the respective institutions of higher learning; and to provide for a deduction from Alabama income tax for such proceeds which are distributed to the said scholarship funds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Payne, the House concurred in and adopted the Senate amendment to the bill, H. 349, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide, for an additional fee, to owners of motor vehicles special license tags or plates which represent the various <u>four-year public</u> institutions

of higher learning in this state; to provide for the design of said tags or plates; to authorize the revenue department to adopt such rules and regulations as are necessary to implement the provisions hereof and to require the department to furnish lists of said tags to sheriffs of this state; to require the removal of said special school tags upon the sale of a motor vehicle; to prohibit unauthorized use of such tags; to name this act the "Martin-Estes-Campbell Act"; to provide for the distribution of the net proceeds of such fees to the general scholarship funds of the respective four-year public institutions of higher learning; and to provide for a deduction from Alabama income tax for such proceeds which are distributed to the said scholarship funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be named, and may be cited as, the "Martin-Estes-Campbell Act" of 1987.

Section 2. Owners of motor vehicles who are residents of Alabama, upon application to the probate judge or commissioner of licenses complying with the state motor vehicle laws relating to the registration and licensing of motor vehicles and payment of the regular license fee for tags or plates as provided by law for private passenger or pleasure motor vehicles, and upon the payment of an additional fee of $50.00 annually, shall be issued special decorative license tags or plates which represent four-year public institutions of higher learning in this state. Such special tags or plates shall be designed by the respective four-year public institutions of higher learning and submitted by the president, or his designee, to the department of corrections for production on October 1, 1987, and thereafter. The tags or plates hereinabove described shall hereinafter be described as "special school tags or plates."

Section 3. The state department of revenue shall make such rules and regulations as necessary to insure compliance with all state license laws relating to use and operation of a private passenger or pleasure motor vehicle which must be complied with before these special school tags or plates in lieu of the regular Alabama license tags or plates may be obtained and such rules and regulations as necessary to provide for the application for an issuance of such special tags or plates.

Section 4. The state department of revenue shall, on or before January 1 of each year, furnish to the sheriff of each county of the state of Alabama an alphabetically arranged list of the names, addresses and license tag or plate letters, four-year public institutions of higher learning, or combination thereof of each person to whom a special school license tag or plate is issued under the provisions of this act, and it shall be the duty of the sheriffs of the state to maintain and to keep current such lists for public information and inquiry.

Section 5. Any other provision of law to the contrary notwithstanding, when an automobile for which a special school tag or plate has been issued is sold or otherwise disposed of, the seller must remove said tag or plate from such automobile, and he then may transfer said tag or plate to a newly acquired automobile of the same class upon payment of the regular transfer fee and all other regular fees and taxes due upon the newly acquired automobile; provided, that any automobile from which a special school tag or plate has been transferred or removed by a former owner shall be registered and licensed by its new owner for operation on the public roads in the same manner as any unlicensed vehicle, except that no ad valorem tax shall be

due on such automobile if same was paid for the current year by the former owner.

Section 6. It shall be unlawful for any person to operate a motor vehicle bearing a special school license tag or plate not issued for or duly transferred to such vehicle. Any person violating this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $50.00 and not more than $200.00 for each offense.

Section 7. After the costs of producing any such special school tags or plates are collected by the board of corrections, the remainder of the $50.00 fee shall be distributed to the general scholarship funds of the respective institutions of higher learning, and such amounts as are distributed to any such scholarship fund in any tax year shall be fully deductible by an Alabama taxpayer from his or her state income tax liability. It shall be the responsibility of each institution to determine the number of tags to be produced. The cost of the tags produced and not sold shall be borne by the institution ordering the tags. Such fees distributed to the general scholarship funds of the various four-year public institutions shall be designated for scholarship grants only to in-state resident students of the various institutions.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Blakeney, Box, Breedlove, Britnell, Brooks, Bugg, Burke, Buskey (JL), Butler, Campbell, Carothers, Carter, Curry, Davis, Dillard, Escott, Ford, Freeman, Gaston, Hall, Hamilton, Hammett, Harvey, Hettinger, Holley, Holmes, Hooper, Junkins, Knight, Kvalheim, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McDowell, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—70

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1141. To make an appropriation for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 403. To provide that the annual state salary payable to circuit clerks and registers, effective January 16, 1989, shall be $40,000 and to provide

that such increase shall in no event cause a register's state salary to exceed $40,000.

Also:

H. 1143. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Shakespeare Festival for the fiscal year 1987-88 and to require an operations plan and audited financial statement prior to release of any funds; to require the condition of the donation of certain student tickets; to require the continuation of student discounts; and to require the reversion of funds appropriated upon certain violations of the provisions of this act.

Also:

H. 658. Relating to Jefferson County; to amend Section 4 and Section 6 of Act No. 547 of the Regular Session of the Legislature of Alabama of 1965; approved August 20, 1965 (Acts 1965, p. 797), as amended, relating to the Board of Directors for a civic center authority and to the civic center authority itself in certain counties classified on a population basis, so as to provide further for the procedure for selecting the members of such board, and to further provide additional powers of such authority.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Brooks to suspend the rules in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 523, was lost, lacking a four-fifths vote.

Yeas 3; Nays 1.

Yeas: Reps. Brooks, Butler and Hettinger. —3

Nay: Rep. Grayson. —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RULE SUSPENDED

On motion of Rep. Turner, Rule 6(1) was suspended to accept the bill, H. 1 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1. To provide for a limitation on the total cost of license plates, taxes and license fees for motorized recreational vehicles; to return the taxation of such vehicles to the rates, weights and amounts that existed prior to 1984; and to exempt motorized recreational vehicles from the provisions of section 40-12-248 of the Code of Alabama 1975.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Turner, the House concurred in and adopted the Senate amendment to the bill, H. 1, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 40-12-240 of the Code of Alabama, 1975, by adding the definition of self-propelled campers or house cars and to delete certain portions of the definition of gross vehicle weight which are no longer applicable; and to amend Section 40-12-248 of the Code of Alabama, 1975, as amended, by reducing the annual license taxes and registration fees on certain trucks known as self-propelled campers or house cars.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 40-12-240 of the Code of Alabama, 1975, is hereby amended to read as follows:

"For the purpose of this article, the following terms shall have the respective meanings ascribed by this section:

(1) DEALER. Every person currently licensed by this state to engage in the business of buying, selling or exchanging vehicles required to be registered hereunder who has an established place of business for such purpose in this state and to whom current dealer registration plates have been issued by the department of revenue.

(2) ESTABLISHED PLACE OF BUSINESS. A place actually occupied either continuously or at regular periods at or from which a business or a part thereof is transacted.

(3) FARM TRACTOR. Every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements designed and used for agricultural purposes and only incidentally moved upon public highways.

(4) GROSS VEHICLE WEIGHT. Whenever used in section 40-12-248, or elsewhere in this section, the empty weight of the truck or truck tractor, plus the heaviest load to be carried and, in the case of combinations, the empty weight of the heaviest trailer with which the power unit shall be placed in combination, plus the heaviest load to be carried.

~~The enforcement and procedural provisions as are contained in subsections (d) and (e) of section 40-12-248 are, and shall be, just as applicable to the licenses levied under subsection (e) of section 40-12-248, and the collection and enforcement thereof as they are to the licenses levied under subsection (d) of section 40-12-248, and said licenses shall be so collected and enforced.~~ The intent being that all licenses which are levied on the basis of the "gross vehicle weight" of the vehicle plus the heaviest load to be carried, as "gross vehicle weight" is hereinabove defined, shall be collected and enforced uniformly and in the same way.

(5) HOUSE TRAILER. Any trailer or semitrailer which was designed to be drawn by another vehicle and (i) to provide living and sleeping facilities, or either, or (ii) for use as an office, apartment, storehouse or warehouse, or (iii) for display and promotion of merchandise and services or any similar purpose, but not including camping trailers with tops and sides, or either, which fold or collapse for in-transit movement and trailers which, although of the type customarily used for purposes referred to in the foregoing clauses (i), (ii) and (iii), are actually used for the purpose of transporting property for hire or property for distribution by a private carrier.

(6) JITNEY BUS. A motor vehicle engaged in the business of carrying passengers for hire over, along and upon a definite or substantially fixed route or routes, in the incorporated limits of any municipality or within 10 miles thereof, except where such vehicle is operated in conjunction with or in lieu of a street railway system or duly franchised bus operation authorized by the governing body of a city and the Alabama public service commission, all such motor vehicles that are excepted in the exception clause of this definition being subject to the license tax specified in subsection (a) of section 40-12-246.

(7) MOTOR VEHICLE. Every vehicle which is self-propelled, every vehicle which is propelled by electric power from overhead trolley wires and every vehicle that is drawn by a self-propelled vehicle, including every trailer and semitrailer.

(8) MOTORCYCLE. Every motor vehicle designed to travel on not more than three wheels in contact with the ground, including motor scooters and motor bicycles, but not including farm tractors.

(9) MUNICIPALITY. Any incorporated city or town in this state.

(10) NONRESIDENT. Every person who is not a resident of this state.

(11) OWNER. Any of the following:

a. A person or persons holding the legal title to a motor vehicle;

b. The mortgagor or conditional vendee of a vehicle that is the subject of a chattel mortgage or an agreement for the conditional sale thereof or other like agreement with the right of purchase upon performance of the conditions stated in the agreement and with the immediate right of possession vested in the mortgagor or conditional vendee, and

c. The lessee of a vehicle owned by the United States of America or any of its agencies or instrumentalities.

(12) PRIVATE PASSENGER AUTOMOBILE. Every motor vehicle designed primarily for the transportation of nine persons or less except the following:

a. Motorcycles;

b. Motor vehicles used in the transportation of persons for hire;

c. Trailers or semitrailers; or

d. Self-propelled campers or house cars;

and includes also every motor vehicle of the type usually referred to as a bus which is owned and operated by an individual for personal or private use and not for hire, rent or compensation. Motor trucks of the type commonly known as "pickups" or "pickup trucks," regardless of the use made of any such motor trucks and regardless of whether the owner thereof owns or has access to any other mode of transportation, shall not be deemed to constitute a private passenger automobile.

(13) PERSON. Every individual, firm, partnership, association, estate, trust or corporation, and the receiver, assignee, agent, administrator or other representative of any of them.

(14) PUBLIC HIGHWAY. Every highway, road, street, alley, lane, court, place, trail, drive, bridge, viaduct or trestle, located either within a municipality or in unincorporated territory, and laid out or erected as such by the public or dedicated or abandoned to the public or intended for use by or for the public. The term "public highway" shall apply to and include driveways upon the grounds of universities, colleges, schools and institutions, but shall not be deemed to include private driveways, private roads or private places not intended for use by the public.

(15) SEMITRAILER. Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and some part of its load rest upon or are carried by another motor vehicle.

(16) STATE. A state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province of the Dominion of Canada.

(17) TAX YEAR. The tax year of this state, being the 12-month period commencing on each October 1.

(18) TRAILER. Every vehicle without motive power designed to carry persons or property wholly on its own structure and to be drawn by another motor vehicle.

(19) TRUCK, Every self-propelled motor vehicle designed and used primarily for the transportation of property in or upon its own structure, every self-propelled motor vehicle of the types known as "campers" and "house cars" and every vehicle of the type commonly called a wrecker, which is used to move disabled motor vehicles for repair, storage and other purposes.

(20) TRUCK TRACTOR. Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicles and load so drawn.

(21) UTILITY TRAILER. A trailer primarily designed to be drawn by a passenger car or pickup truck, including luggage trailers, folding or collapsible camping trailers and other small trailers of similar size and function, but shall not include boat trailers.

(22) VEHICLE. Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by muscular power or used exclusively upon rails or tracks.

(23) SELF-PROPELLED CAMPERS OR HOUSE CARS. A self-propelled motor vehicle designed and used primarily for mobile living quarters. The living quarters on self-propelled campers or house cars are constructed as an integral part of the motor vehicle and are not detachable. Self-propelled campers or house cars are commonly known as motor homes.

All references in this article to the judge of probate shall be deemed to include the commissioner of revenue, license commissioner or other county official designated by law to register motor vehicles, issue license plates and perform other duties in connection with motor vehicle licenses."

Section 2. Section 40-12-248 of the Code of Alabama, 1975, as amended, is hereby amended to read as follows:

"Section 40-12-248.

"(a) For each truck or truck tractor using the public highways of this state, annual license taxes and registration fees based on the gross vehicle weight in pounds are hereby imposed and shall be charged. For the purposes of this section, the term 'gross vehicle weight' shall mean the empty weight of the truck or truck tractor plus the heaviest load to be carried and, in the case of combinations, shall be deemed to include also the empty weight of the heaviest trailer with which the power unit shall be placed in combination, plus the heaviest load to be carried. No tolerance or margin of error shall be allowable under any of the provisions of this section, except as provided in subsection (b).

"(b) For each truck or truck tractor using the public highways of this state, the annual license taxes and registration fees herein imposed (i) shall consist of the base amount applicable to such truck or truck tractor under the schedule of base amounts set forth in this subsection, plus (ii) the additional amount, if any, applicable to such truck or truck tractor under the provisions of the schedule of additonal amounts set forth in this subsection:

SCHEDULE OF BASE AMOUNTS

Gross Vehicle Weight in Pounds	Base Amount
0 to 8,000	$ 10.70
8,001 to 12,000	52.50
12,001 to 18,000	85.00
18,001 to 26,000	117.50
26,001 to 33,000	150.00
33,001 to 42,000	260.00
42,001 to 55,000	292.50
55,001 to 64,000	325.00
64,001 to 73,280	357.50

73,281 to 80,000	390.00
80,001 or over	422.50

SCHEDULE OF ADDITIONAL AMOUNTS

Gross Vehicle Weight in Pounds	Additional Amounts
0 to 8,000	$ 2.30
8,001 to 12,000	52.50
12,001 to 18,000	85.00
18,001 to 26,000	117.50
26,001 to 33,000	150.00
33,001 to 42,000	260.00
42,001 to 55,000	292.50
55,001 to 64,000	325.00
64,001 to 73,280	357.00
73,281 to 80,000	390.00
80,001 or over	422.50

"The total amount of the said annual license tax and registration fee shall be limited with respect to trucks owned and used by a farmer for transporting farm products or the personal property of the farmer for his use on his farm to a maximum of $30.00 where the gross vehicle weight of the truck does not exceed 30,000 pounds and to a maximum of $85.00 where the gross vehicle weight of the truck exceeds 30,000 but does not exceed 42,000 pounds, and the same annual license tax and registration fee shall be limited with respect to trucks owned and used by any person for transporting forest products from the point of severance to a sawmill, to a papermill or to a concentration yard to a maximum of $40.00 where the gross vehicle weight of the truck does not exceed 30,000 pounds and to a maximum of $65.00 where the gross vehicle weight exceeds 30,000 pounds but does not exceed 42,000 pounds.

"For purposes of enforcement of farm truck license tags, or forest products truck license tags for trucks that do not exceed 42,000 pounds in gross vehicle weight, all scaled weight shall be allowed a tolerance or a margin of error of ten percent of the gross or axle weights to allow for any climatic conditions.

"For each truck tractor which is operated by a certificated motor carrier and which is operated exclusively within 15 miles of the corporate limits of the incorporated municipality in which it is customarily domiciled, but not including vehicles operating beyond the borders of the Alabama, and which is registered in the county in which it is customarily domiciled, a total annual license tax and registration fee of $300.00 is hereby imposed and shall be charged.

The total amount of said annual license tax and registration fee shall be limited to the following schedule for all self-propelled campers or house cars provided, however, said self-propelled camper or house cars whose weight

does not exceed 8,000 pounds, shall be subject to the provisions of Section 40-12-273, (b):

SCHEDULE OF BASE AMOUNTS

Gross Vehicle Weight in Pounds	Base Amount
0 to 8,000	$ 10.70
8,001 to 12,000	25.00
12,001 to 18,000	50.00
18,001 to 26,000	87.50
26,001 to 33,000	137.50
33,001 to 42,000	250.00

SCHEDULE OF ADDITIONAL AMOUNTS

Gross Vehicle Weight in Pounds	Additional Amounts
0 to 8,000	$ 2.30
8,001 to 12,000	25.00
12,001 to 18,000	50.00
18,001 to 26,000	87.50
26,001 to 33,000	137.50
33,001 to 42,000	250.00

"(c) Every person making application for license under this section to use a truck or truck tractor on the public highways of this state shall be required to make an affidavit declaring the gross vehicle weight of such truck or truck tractor and file the said affidavit with the judge of probate, or other county licensing officer, in the county in which the said application is made. Upon payment of the applicable motor vehicle license tax or registration fee, the license to use the said truck or truck tractor on the public highways of this state shall be limited to the gross vehicle weight so declared by the owner, which shall be deemed to constitute the allowable gross vehicle weight for which the said vehicle is licensed.

"After having obtained a license under this section with respect to any truck or truck tractor, the owner thereof may during the then current tax year voluntarily increase the allowable gross vehicle weight for which his vehicle is licensed by making a new affidavit, applying for a new license applicable to the appropriate gross vehicle weight classification, surrendering the license plates or tags previously obtained, and paying the difference between the fees applicable to a license for the higher weight classification desired and the fee in respect of the license so surrendered. The license classification of a truck or truck tractor may not be decreased, however, except once a year at the time new license tags or plates are purchased for such truck or truck tractor."

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective October 1, 1988 upon its passage and approval by the Governor or upon its otherwise becoming a law. Provided, however, if House Bill 635 introduced during the current Regular Session is not amended to provide that the first $250,000 of fines collected under the provisions contained in said Bill shall be distributed to the State Public Road and Bridge Fund to be used for payment of debt service on Alabama Highway Authority Bonds, and if said amended Bill shall fail to be enacted, the provisions of this Act shall become null and void.

Yeas 72; Nays 0.

Yeas:

Reps. Beasley, Beers, Biddle, Blakeney, Breedlove, Britnell, Brooks, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Crow, Curry, Davis, Faulk, Ford, Frazier, Gaston, Gray, Grayson, Hall, Hamilton, Hammett, Harvey, Headley, Hettinger, Higginbotham, Hill, Hogan, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Lindsey, Marks, Mathis, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Starkey, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), Williams, Willis and Wright.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 490. Renaming the Plumbers Examining Board established by Act No. 529 of the 1949 Regular Session of the Legislature (Acts 1949, p. 827), as amended; continuing the existence of such board; authorizing such board to exercise certain statewide licensing authority over plumbers and gas fitters; defining certain terms relating to plumbing and gas fitting as used in this act; prescribing procedures for appointing successors to the current members of such board; prescribing regulations relative to the scope of authority of local and state licenses issued to plumbers and gas fitters; prescribing procedures for the testing and licensing of plumbers and gas fitters under this act; providing for the compensation and expenses of the members of such board and its hired or contracted employees; authorizing such board to adopt a fee schedule; prescribing procedures for revoking licenses; authorizing such board to enter into certain reciprocity agreements with other states; prescribing penalty for violation of this act and providing for supplemental effect.

said Governor's Message being in words and figures as follows, to-wit:

To The Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I transmit herewith to you a message from the Governor, returning Senate Bill No. 490, without the Governor's signature and approval, but with the following Executive Amendment.

Done this 24th day of July, 1987.

Respctfully submitted,

JOHN E. GRENIER,
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I am returning to you, the body in which it originated, Senate Bill No. 490, without my signature, but with the following suggested Executive Amendment:

EXECUTIVE AMENDMENT TO SENATE BILL NO. 490:

On page 1, lines 32 and 33 delete the following:

~~board of plumbers and gas fitters.~~

Further insert in lieu thereof the following:

plumbers and gas fitters examining board.

On page 5, lines 1 through 5, delete the following:

~~All fees collected hereunder by the board shall be deposited by the board in a depository approved by the treasurer of Alabama. Drafts shall be drawn upon such fund in accordance with the rules and regulations prescribed by the board.~~

Further, in lieu of the above deleted language, insert the following:

There is hereby established a separate special revenue trust fund in the state treasury to be known as the Alabama Plumbers and Gas Fitters Examining Board Fund. All receipts collected by the board under the provisions of this act are to be deposited in this fund and used only to carry out the provisions of this act. Such fund shall be disbursed only by warrant of the state comptroller upon the state treasurer, upon itemized vouchers approved by the secretary-treasurer of the board; provided that no funds shall be withdrawn or expended except as budgeted and allotted according to the provisions of Sections 41-4-80 through 41-4-96 of the Code of Alabama 1975, as amended, and only

in amounts as stipulated in the general appropriation bill or other appropriation bills; and provided further that any funds unspent and unencumbered at the end of each fiscal year shall not revert to the state general fund but shall carry forward to the succeeding fiscal year for the use of the board.

On page 13, lines 2 and 3, delete the following:

~~immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.~~

Further, in lieu of the above deleted language, insert the following:

on October 1, 1987.

The adoption of the above suggested amendment will remove my objections to this bill.

Done this 24th day of July, 1987.

Respectfully,

GUY HUNT,
Governor.

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, S. B. 490, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 22, Nays 0.

And said Bill, S. B. 490, together with the Executive amendment, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Gaston, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 490, said Executive amendment being set out in the above and foregoing Message from the Senate.

Yeas 62; Nays 0.

Yeas:

Reps. Beers, Biddle, Black, Blakeney, Breedlove, Britnell, Brooks, Bryant, Butler, Carothers, Carter, Coburn, Crow, Curry, Davis, Ford, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harvey, Haynes, Headley, Hettinger, Hill, Holley, Holmes, Hooper, Johnson (RW), Kennedy, Knight, Kvalheim, Laird, Logan, Marks, Mathis, McClain, McMillan, Mikell, Moon, Parker, Payne, Penry, Petelos, Poole, Rains, Reed, Richardson, Rogers, Turner, Turnham, Venable, Warren, White (G), White (L), Willis, Wright and Zoghby.

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RULE SUSPENDED

On motion of Rep. Escott, Rule 6(1) was suspended to accept the bill, H. 457 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 457. To amend Article III, Section 9 of Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, as amended by Act No. 791 of the Regular Session of the Legislature of Alabama of 1975, said section relating to investment of the fund established for a retirement and relief system for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census as established originally by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, as amended, said Article III, Section 9 to be amended in full to provide that the Board of Managers of any such fund shall also have authority to approve investments of the fund after their making by the designee of the Board, to provide that investments of the fund in bonds and stocks of private corporations shall not exceed sixty-five percent of the funds available for investment, and, to provide that investments in stocks of private corporations shall not exceed forty percent of the funds available for investment.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Escott, the House concurred in and adopted the Senate amendment to the bill, H. 457, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Article III, Section 9 of Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, as amended by Act No. 791 of the Regular Session of the Legislature of Alabama of 1975, said section relating to investment of the fund established for a retirement and relief system for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census as established originally by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, as amended, said Article III, Section 9 to be amended in full to provide that the Board of Managers of any such fund shall also have authority to approve investments of the fund after their making by the designee of the Board, to provide that investments of the fund in bonds and stocks of private corporations shall not exceed seventy-five percent of the funds available for investment, and, to provide that investments in stocks of private corporations shall not exceed fifty percent of the funds available for investment.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Article III, Section 9 of Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, as amended by Act No. 791

of the Regular Session of the Legislature of Alabama of 1975, be and said Section 9 is hereby amended in full to read as follows:

"Section 9. The Fund and its Investment.

(a) In each instance in which any provision of this Section 9 requires a determination of the value of a security, or securities, in the fund, the price at which the System purchased the security, or securities, shall be deemed to be the value thereof.

(b) The fund shall include all assets of the fund in any form, and the city comptroller shall be, ex officio, the custodian of the fund. The custodian shall keep a separate account of the fund and of all assets and liabilities thereof and of all receipts and disbursements thereof and of all prior service time and paid membership time of employee members. The custodian shall keep all monies of the fund in a separate bank account. The custodian shall keep in force and effect a bond in a penal amount equal to the total amount of monies and securities in his custody or possession, but in no event in excess of fifty thousand dollars ($50,000), payable to the Board and conditioned for faithful performance of his duties and for faithful accounting to the Board for all monies, securities and property coming into his custody or possession as such custodian. Such Bond shall be executed by a surety company authorized to do business in the State of Alabama, and the premium on such bond, and all necessary expenses of the Board, shall be paid out of the fund upon order of the Board. All bonds and securities acquired for the fund and which are registerable as to principal shall be registered by the custodian in the name of the system promptly upon acquisition and shall remain so registered until sold or otherwise disposed of by authority of the Board. The Board shall select a banking institution located within the territorial jurisdiction of the city as subcustodian of securities, with authority to collect and remit to the custodian principal and interest of securities entrusted to its custody as the same may mature, and pay it such reasonable fees or compensation for its services as the Board may deem proper, and the Board may, if it sees fit, waive bond of such institution as subcustodian so long as the net worth of the subcustodian exceeds one and one-half times the total value of the securities entrusted to its custody. Securities in the custody of such subcustodian shall not be counted as in the custody of the custodian for the purpose of computing the amount of the custodian's bond. The Board is authorized to accept and receive gifts, donations, or legacies for the fund, and to administer same as may be directed by the donors. In the adjudication of claims against the fund, the records of the city comptroller and custodian made and kept for the purpose of this act shall be deemed prima facie, to speak the truth.

(c) The Board of Managers shall have the sole and absolute discretion, if they deem it advisable to invest, reinvest and have invested and reinvested all funds of the System, real and personal subject to the limitations herein provided. The Board is authorized to borrow money up to the value of the securities of the fund and to pledge such securities for repayment of the money borrowed. No money of the fund shall be invested, paid out or disbursed except pursuant to order or authorization of the Board. The Board shall be trustee, and have entire management and control of the fund, and shall direct or subsequently approve investment of monies of the fund not needed to meet disbursements provided for in this Act, in the loans to members hereinabove referred to, and in bonds of the United States Government, or general obligation bonds of the State of Alabama, or general obligaton bonds of any municipality or county of the State of Alabama, or

in Federal Savings and Loan Associations, or in other corporations having Federal Savings and Loan Association's guarantee, or in bonds or common or preferred stock or corporations organized under Federal laws or the laws of any State of the United States, or may invest in certificates of deposit or bonds issued by banks organized under Federal laws or under laws of the State of Alabama; provided, however, that not more than ten thousand dollars shall be invested in any one Federal Savings and Loan Association or in any one corporation having Federal Savings and Loan Association's guarantee; and provided, further, that no funds shall be invested in bonds or common or preferred stock of private corporations unless such bonds or common or preferred stock are listed upon Exchanges subject to the jurisdiction of the Securities and Exchange Commission and the aggregate value of the funds invested in such bonds and stock of corporations last referred to above shall not exceed seventy-five percent (75%) of all the funds available in the system for investments, nor shall the total investment in common or preferred stocks of such corporations exceed fifty percent (50%) of all the funds available in the system for investment."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Amend House Bill 457, Page 4, Lines 25-28, by striking out the following language after the word "however",

"that not more than ten thousand dollars shall be invested in any one Federal Savings and Loan Association or in any one corporation having Federal Savings and Loan Association's guarantee; and provided, further,"

Yeas 57; Nays 0.

Yeas:

Mr. Speaker, Black, Blakeney, Britnell, Brooks, Bryant, Bugg, Butler, Carothers, Carter, Curry, Davis, Escott, Faulk, Ford, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harvey, Hettinger, Hill, Holley, Hooper, Johnson (RW), Junkins, Kennedy, Kvalheim, Lindsey, Logan, Mathis, McClain, McDowell, McMillan, Moon, Newman, Parker, Penry, Perdue, Petelos, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Turnham, Venable, Warren, White (G), White (L), Williams, Wright and Zoghby.

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MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Turner, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 301.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Turner, Budget Isolation Resolution relating to S. B. 301, was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blakeney, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Butler, Carothers, Carter, Coburn, Curry, Davis, Faulk, Ford, Freeman, Gaston, Grouby, Hall, Hamilton, Hammett, Harvey, Hettinger, Hill, Hogan, Holley, Holmes, Johnson (RW), Junkins, Kennedy,

Knight, Kvalheim, Laird, Lindsey, Logan, Mathis, McClain, McKee, McMillan, Moon, Newman, Parker, Payne, Penry, Petelos, Rains, Reed, Richardson, Seibels, Slaughter, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams and Wright.

—65

And the bill:

S. 301. To amend Section 40-17-224 of the Code of Alabama 1975, relating to use of certain gas tax proceeds for highway purposes, so as to provide further for such use by certain municipalities.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Butler, Carter, Coburn, Crow, Curry, Dillard, Faulk, Ford, Freeman, Gaston, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Hettinger, Higginbotham, Hill, Hogan, Hooper, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Lindsey, Logan, Marks, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Reed, Seibels, Slaughter, Spratt, Starkey, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis and Wright.

—68

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Burke, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 310.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Burke, Budget Isolation Resolution relating to S. B. 310, was adopted.

Yeas 42; Nays 2.

Yeas:

Mr. Speaker, Adams, Blake, Blakeney, Brooks, Bryant, Bugg, Burke, Butler, Carter, Curry, Dillard, Ford, Grouby, Hammett, Harper, Harvey, Headley, Hettinger, Hill, Holley, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Lindsey, McDowell, Moon, Newman, Parker, Rains, Reed, Richardson, Seibels, Spratt, Starkey, Venable, White (F), White (L), Williams and Wright.

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Nays: Reps. Breedlove and Mathis. —2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 310. To further amend Section 40-6-1, Code of Alabama 1975, as amended, so as to provide further for the qualifications for appointment as a supernumerary official.

Was read a third time at length and passed.

Yeas 36; Nays 14.

Yeas:

Mr. Speaker, Adams, Blake, Blakeney, Britnell, Brooks, Bryant, Burke, Butler, Coburn, Dillard, Drake, Ford, Gaston, Hammett, Harper, Harvey, Headley, Hettinger, Hill, Hooper, Junkins, Kennedy, Kvalheim, Lindsey, McDowell, Mikell, Moon, Newman, Rains, Reed, Seibels, Spratt, Venable, White (L) and Williams.

—36

Nays:

Reps. Breedlove, Carothers, Frazier, Freeman, Gray, Hall, Hogan, Mathis, McKee, Parker, Payne, Poole, White (G) and Willis.

—14

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Zoghby, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 498.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Zoghby, Budget Isolation Resolution relating to S. B. 498, was adopted.

Yeas 43; Nays 0.

Yeas:

Reps. Adams, Beers, Biddle, Black, Blake, Blakeney, Britnell, Brooks, Bryant, Burke, Buskey (JE), Butler, Coburn, Faulk, Freeman, Gaston, Hall, Hamilton, Hettinger, Hill, Holley, Hooper, Johnson (RW), Kennedy, Kvalheim, Logan, Marietta, Mathis, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Poole, Reed, Richardson, Starkey, White (G), White (L), Williams and Zoghby.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 498. Relating to Mobile County; providing for the acceptance of certain unimproved roads and regulating the construction of certain other unimproved roads.

Was read a third time at length and passed.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Black, Blake, Britnell, Brooks, Bryant, Burke, Buskey (JE), Butler, Carter, Clark (W), Coburn, Curry, Faulk, Freeman, Gaston, Grayson, Hall, Hamilton, Harvey, Hettinger, Higginbotham, Hill, Holley, Holmes, Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Lindsey, Logan, Marietta, Mathis, McClain, McDowell, McKee, Moon, Newman, Parker, Payne, Petelos, Poole, Richardson, Seibels, Slaughter, Spratt, Starkey, Turner, White (G), White (L), Wright and Zoghby.

—55

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Hettinger to suspend the rules in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 72, was lost, lacking a four-fifths vote.

Yeas 40; Nays 20.

Yeas:

Reps. Biddle, Blake, Blakeney, Box, Breedlove, Bryant, Burke, Butler, Clark (W), Cosby, Davis, Dillard, Gaston, Hall, Hettinger, Hill, Hogan, Holley, Hooper, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Mathis, McClain, McDowell, Moon, Newman, Parker, Reed, Rogers, Starkey, Turner, Venable, Walker, White (F), White (L) and Zoghby.

—40

Nays:

Reps. Adams, Bugg, Buskey (JL), Campbell, Carothers, Carter, Curry, Escott, Flowers, Hammett, Harper, Haynes, Headley, Higginbotham, Junkins, McKee, Payne, Richardson, Warren and White (G).

—20

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 339. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE FOR THE PROMOTION OF THE TENNESSEE-TOMBIGBEE WATERWAY.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 415. To provide further for the mode of consolidation of contiguous municipalities; prescribes the procedure when two or more municipalities lying contiguous to each other desire to consolidate and operate as one municipality; and repeals Section 11-42-100, Code of Alabama 1975, which relates to said procedure.

McDOWELL LEE,
Secretary.

REPORT OF CONFERENCE COMMITTEE

We, the Committee on Conference, appointed to reconcile the differences of the two houses concerning House Bill 270, have met in conference and have agreed to accept the attached substitute which is made a part of this report as is fully set out herein.

TAYLOR F. HARPER,
JAMES S. CLARK,
BILL FULLER,
Conferees on the Part of the House.

LOWELL BARRON,
BILL DRINKARD,
FRED HORN,
Conferees on the Part of the Senate.

A BILL
TO BE ENTITLED
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1988.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1: The monies in Section 2 are appropriated from the named funds for the 1987-88 fiscal year to the state agency indicated, as the amounts to be used to pay the expenditures of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Alabama Statutes.

For the purpose of this Act, the amounts herein for expenditures are listed by programmatic area and the totals for all programs are shown by the source of funds. It is intended that only the named funds be appropriated to the agency concerned; and that the following definitions shall be applicable:

(a) "Appropriation Total" shall mean the aggregate total of all fund sources.

(b) "Program" shall mean specific governmental services required to achieve a specific objective. A program shall be directed to meeting the need of an identified clientele, or group of recipients or beneficiaries.

(c) "Capital Outlay" shall mean expenditures which result in the acquisition and/or addition to items, such as land or buildings, which have an appreciable and calculable period of usefulness in excess of one year, and shall be expended only for such purposes.

(d) "Debt Service" shall mean an expenditure for the payment of interest and principal on all bonded debt obligations of the State, and shall be expended only for such purposes.

SECTION 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for other functions of government, for the principal and interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1988, to be paid out of any monies hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor, except as provided in the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

	Fund Sources Included In Appropriation Total		
	General Fund	Trust Funds	Appropriation Total
2A. LEGISLATIVE:			
1. EXAMINERS OF PUBLIC ACCOUNTS, DEPARTMENT OF:			
(a) Legislative Support-Audit Services Program			3,837,924
SOURCE OF FUNDS:			
(1) State General Fund	3,637,924		
(2) Federal Funds		200,000	
Total Department of Examiners of Public Accounts	3,637,924	200,000	3,837,924
2. LEGISLATIVE COUNCIL:			
(a) Legislative Operations and Support Program			180,000
SOURCE OF FUNDS:			
(1) State General Fund	180,000		
Pursuant to Section 29-6-1 et seq., Code of Alabama 1975.			
Total Legislative Council	180,000		180,000
3. LEGISLATIVE FISCAL OFFICE:			
(a) Legislative Operations and Support Program (to include program review and evaluation)			944,916
SOURCE OF FUNDS:			
(1) State General Fund	912,496		

(2) State General Fund-State House Rent	32,420	
Total Legislative Fiscal Office	944,916	944,916
4. LEGISLATIVE REFERENCE SERVICE:		
(a) Legislative Operations and Support Program		1,084,171
SOURCE OF FUNDS:		
(1) State General Fund	1,038,257	
(2) State General Fund-State House Rent	45,914	
Total Legislative Reference Service	1,084,171	1,084,171
5. LEGISLATURE:		
(a) Legislative Operations and Support Program		3,240,000
It is the intent of the Legislature that (1) the above appropriation shall include funds for the necessary technical expenses associated with reapportionment (2) that at least $50,000 shall be allocated for the Ways and Means Committee, the House Rules Committee and the Speaker of the House Office and (3) that at least $50,000 shall be allocated for the Senate Finance and Taxation Committee, the Office of the Senate Pro Tempore and the Senate Rules Committee.		
The appropriation to the Legislature shall be expended under the provisions set forth in Section 29-1-22, Code of Alabama 1975, as amended.		
SOURCE OF FUNDS:		
(1) State General Fund	2,722,972	
(2) State General Fund-State House Rent	517,028	
Total Legislature	3,240,000	3,240,000
6. LEGISLATURES, NATIONAL CONFERENCE OF STATE:		
(a) Legislative Operations and Support Program		68,581
SOURCE OF FUNDS:		
(1) State General Fund	68,581	

Total National Conference of State Legislatures	68,581	68,581
7. LIEUTENANT GOVERNOR, OFFICE OF:		
(a) Legislative Operations and Support Program		450,000
SOURCE OF FUNDS:		
(1) State General Fund	450,000	
Total Office of the Lieutenant Governor	450,000	450,000
2B. JUDICIAL:		
1. COURT OF CIVIL APPEALS:		
(a) Court Operations Program		939,228
SOURCE OF FUNDS:		
(1) State General Fund	939,228	
Total Court of Civil Appeals	939,228	939,228
2. COURT OF CRIMINAL APPEALS:		
(a) Court Operations Program		1,405,516
SOURCE OF FUNDS:		
(1) State General Fund	1,405,516	
Total Court of Criminal Appeals	1,405,516	1,405,516
3. JUDICIAL INQUIRY COMMISSION:		
(a) Administrative Services Program		90,500
SOURCE OF FUNDS:		
(1) State General Fund	90,500	
Total Judicial Inquiry Commission	90,500	90,500
4. JUDICIAL RETIREMENT FUND:		
(a) Retirement Systems Program		1,452,000
SOURCE OF FUNDS:		
(1) State General Fund	1,452,000	
Total Judicial Retirement Fund	1,452,000	1,452,000
5. SUPREME COURT:		
(a) Court Operations Program		3,543,554
SOURCE OF FUNDS:		
(1) State General Fund	3,543,554	
Total Supreme Court	3,543,554	3,543,554
6. UNIFIED JUDICIAL SYSTEM:		
(Administrative Office of Courts)		
(a) Court Operations Program		49,000,984
(b) Administrative Services Program		3,041,589

(c) Consultant and Planning Services Program			181,450
(d) DUI Referral Program			90,725
(e) Fringe Benefit Program, Estimated			300,000
SOURCE OF FUNDS:			
(1) State General Fund	52,314,748		
(2) State General Fund-Social Security-County Judicial, Estimated	300,000		
Total Unified Judicial System	52,614,748		52,614,748
2C. EXECUTIVE:			
1. ACADEMY OF HONOR, ALABAMA:			
(a) Historical Resources Management Program			771
SOURCE OF FUNDS:			
(1) State General Fund	771		
As provided in Section 41-11-6, Code of Alabama 1975			
Total Alabama Academy of Honor	771		771
2. ACCOUNTANCY, ALABAMA STATE BOARD OF PUBLIC:			
(a) Professional and Occupational Licensing and Regulation Program			341,166
SOURCE OF FUNDS:			
(1) Alabama State Board of Public Accountancy Fund		341,166	
As provided in Section 34-1-22, Code of Alabama 1975. In addition to the amounts appropriated hereinabove to the State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or withdrawn by request of applicant.			
Total Alabama State Board of Public Accountancy		341,166	341,166
3. ADJUSTMENT, BOARD OF:			
(a) Special Services Program			310,000
SOURCE OF FUNDS:			
(1) State General Fund	15,000		
For the State General Fund Contribution to the total expenditure of			

$750,000 pursuant to Section 41-9-73, Code of Alabama 1975, as amended.			
(2) State General Fund, Estimated	280,000		
For expenditures as provided in Section 31-3-2 and Section 36-30-2, Code of Alabama 1975, as amended.			
(3) State General Fund-Administrative Costs	15,000		
Total Board of Adjustment	310,000		310,000
4. AERONAUTICS, DEPARTMENT OF:			
(a) Airport Development and Aeronautical Support Program			768,824
SOURCE OF FUNDS:			
(1) Airport Development Fund		768,824	
As provided by Section 4-2-42, Code of Alabama 1975.			
Total Department of Aeronautics		768,824	768,824
5. AGING, COMMISSION ON:			
(a) Planning and Advocacy for the Elderly Program			19,578,944
(b) Medicaid Waivered Services Program			6,019,225
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	1,405,000		
(2) State General Fund-Transfer-Medicaid Waiver	1,607,735		
(3) Federal, Local and Miscellaneous Funds		22,585,434	
Total Commission on Aging	3,012,735	22,585,434	25,598,169
The Commission on Aging shall contract with the existing Regional Planning Commissions or Councils of Local Governments and/or Area Agencies on Aging to provide services for one-third of the State's present and future client slots for the program known as the "Medicaid Waiver Services Program-Home-and Community-Based Waiver for the Elderly and Disabled".			
6. AGRICULTURAL AND CONSERVATION DEVELOPMENT COMMISSION:			
(a) Water Resource Development Program			2,066,250

SOURCE OF FUNDS:			
(1) State General Fund-Transfer	2,066,250		
Total Agricultural and Conservation Development Commission	2,066,250		2,066,250
7. AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION, ALABAMA:			
(a) Agricultural Development Services Program			27,218
SOURCE OF FUNDS:			
(1) State General Fund	27,218		
Total Alabama Agricultural and Industrial Exhibit Commission	27,218		27,218
8. AGRICULTURAL CENTER BOARD:			
(a) Agricultural Development Services Program			682,871
SOURCE OF FUNDS:			
(1) State General Fund	94,354		
For expense and awarding of prizes for fairs as provided in Section 2-7-21, Code of Alabama 1975.			
(2) State General Fund-Transfer-Operations	95,725		
(3) State General Fund-Transfer-Livestock Coliseum	232,982		
(4) Livestock Coliseum Fund		259,810	
Total Agricultural Center Board	423,061	259,810	682,871
9. AGRICULTURE AND INDUSTRIES, DEPARTMENT OF:			
(a) Administrative Services Program			1,624,459
(b) Agricultural Inspection Services Program			10,633,146
(c) Laboratory Analysis and Disease Control Program			3,799,104
(d) Agricultural Development Services Program			2,590,221
Of the above appropriation to the Agricultural Development Services Program, $100,000 shall be allocated for capital outlay purposes to the Coffee County Commission farm complex.			
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	8,162,161		
(2) Federal, Local and Miscellaneous Funds		2,335,295	

(3) Shipping Point Inspection Fund ..		4,521,500	
Pursuant to Sections 2-9-20 et seq., Code of Alabama 1975. All fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection grading and classsification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities.			
(4) Agricultural Fund		3,627,974	
Total Department of Agriculture and Industries	8,162,161	10,484,769	18,646,930
In addition to the above appropriation, there is also hereby appropriated $300,000 to be used for boll weevil eradication to be conditioned upon the availability of funds in the State General Fund and upon the approval of the Governor.			
10. ALABAMA TRUST FUND BOARD:			
(a) Administrative Program			226,813
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	226,813		
Total Alabama Trust Fund Board	226,813		226,813
11. ALCOHOLIC BEVERAGE CONTROL BOARD, ALABAMA:			
(a) Alcoholic Beverage Management Program			24,029,145
(b) Enforcement Program			5,886,000
(c) Administrative Services Program			4,044,840
The appropriation to the Alabama Alcoholic Beverage Control Board shall include a transfer to the Department of Mental Health of $1,000,000 and a transfer to the Department of Human Resources of $2,000,000.			
SOURCE OF FUNDS:			
(1) ABC Board Fund		33,959,985	
In addition to the above appropriations herein made, there is hereby appropriated for each additional retail store			

put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alabama Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation. In addition to the above appropriation, it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.		
Total Alabama Alcoholic Beverage Control Board	33,959,985	33,959,985
12. ARCHITECTS, BOARD FOR REGISTRATION OF:		
(a) Professional and Occupational Licensing and Regulation Program		166,000
SOURCE OF FUNDS:		
(1) Fund of the Board for Registration of Architects	166,000	

As provided in Section 34-2-41, Code of Alabama 1975.			
Total Board for Registration of Architects		166,000	166,000
13. ARCHIVES AND HISTORY, DEPARTMENT OF:			
(a) Historical Resources Management Program			2,259,807
SOURCE OF FUNDS:			
(1) State General Fund	1,643,367		
(2) State General Fund-Archives and History Building Rent	450,000		
(3) Federal Funds		166,440	
Total Department of Archives and History	2,093,367	166,440	2,259,807
14. ATTORNEY GENERAL, OFFICE OF THE:			
(a) Legal Advice and Legal Services Program			6,023,881
(b) Fair Marketing Practices Program			494,235
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	4,773,443		
(2) State General Fund-Transfer-Consumer Protection	489,235		
(3) State General Fund-State House Rent	314,688		
(4) Transfer from Department of Human Resources		445,386	
(5) Federal, Local and Miscellaneous Funds		495,364	
Total Office of the Attorney General	5,577,366	940,750	6,518,116

In addition to the above appropriation to the Office of the Attorney General, there is hereby appropriated the amount of $500,000 to be conditioned upon obtaining federal funds. Said funds are to be used solely as a state match requirement for Federal Task Force and other Federal Grants; any unused funds will remain part of the overall General Fund and will not be allotted to the Office of the Attorney General. These funds cannot be used to supplant or replace existing state programs.

15. AUDITOR, STATE:			
(a) Fiscal Management Program			804,322
SOURCE OF FUNDS:			
(1) State General Fund	774,102		
(2) State General Fund-State House Rent	30,220		
Total State Auditor	804,322		804,322
16. BANKING DEPARTMENT, STATE:			
(a) Charter, License and Regulate Financial Institutions Program			2,787,785
SOURCE OF FUNDS:			
(1) Banking Assessment Fees		2,484,685	
As provided in Section 5-2A-20, Code of Alabama 1975.			
(2) Loan Examination Fund		303,100	
As provided in Section 5-2A-24, Section 5-16-38.1, and Section 5-18-5, Code of Alabama 1975, as amended.			
Total State Banking Department		2,787,785	2,787,785
In addition to the above appropriation to the State Banking Department, there is hereby conditionally appropriated the amount of $100,000 from the Banking Department's funds to be transferred to the Secretary of State notwithstanding the provisions of Title 5, Chapter 2A, Sections 20 and 24, of the Code of Alabama 1975. This conditional appropriation is conditioned upon passage of the Uniform Commercial Code and Farm Products Central Index System Fee adjustment bill in the 1987 Regular Session of the Legislature and upon the approval of the Governor.			
17. BAR ASSOCIATION, ALABAMA STATE:			
(a) Professional and Occupational Licensing and Regulation Program			1,181,881
SOURCE OF FUNDS:			
(1) State Bar Association Fund		1,090,211	
As provided in Section 34-3-4 and Section 34-3-44, Code of Alabama 1975.			
(2) Local Funds, Estimated		91,670	

As provided in Sections 34-3-44, 34-3-17 and 34-3-18, Code of Alabama 1975.			
Total Alabama State Bar Association		1,181,881	1,181,881
18. BEAR CREEK DEVELOPMENT AUTHORITY:			
(a) Water Resource Development Program			42,822
SOURCE OF FUNDS:			
(1) State General Fund	42,822		
Total Bear Creek Development Authority	42,822		42,822
19. BUILDING COMMISSION, STATE:			
(a) Special Services Program			708,326
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	340,219		
(2) Federal, Local and Miscellaneous Funds		368,107	
Total State Building Commission	340,219	368,107	708,326
20. CAHAWBA ADVISORY COMMITTEE:			
(a) Historical Resources Management Program			9,550
SOURCE OF FUNDS:			
(1) State General Fund	9,550		
Total Cahawba Advisory Committee	9,550		9,550
21. CHILD ABUSE AND NEGLECT PREVENTION BOARD:			
(a) Social Services Program			216,500
In accordance with Sections 26-16-1 et seq. and 26-16-30 et seq., Code of Alabama 1975, as amended.			
SOURCE OF FUNDS:			
(1) State General Fund-Transfer to Children's Trust Fund	125,000		
(2) Children's Trust Fund, Estimated		91,500	

Total Child Abuse and Neglect Prevention Board	125,000	91,500	216,500
22. CHIROPRACTIC EXAMINERS, ALABAMA STATE BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			73,800
SOURCE OF FUNDS:			
(1) Alabama State Board of Chiropractic Examiners' Fund		73,800	
As provided in Section 34-24-143, Code of Alabama 1975.			
Total Alabama State Board of Chiropractic Examiners		73,800	73,800
23. CONSERVATION AND NATURAL RESOURCES, DEPARTMENT OF:			
(a) State Land Management Program			805,000
(b) Outdoor Recreation Sites and Services Program			17,305,551
Of the above appropriation to Outdoor Recreation Sites and Services Program, and in addition to the regular allotment to be received by said parks, $25,000 shall be allocated to Bucks Pocket State Park and $25,000 shall be allocated to DeSoto State Park.			
(c) Marine Police Program			2,772,524
(d) Wildlife Game and Fish Program			12,753,314
Of the above appropriation to the Wildlife Game and Fish Program, at least $15,000 shall be allocated for Sylvania Lake.			
(e) Marine Resources Program			1,905,000
(f) Land and Water Conservation Program			1,200,000
(g) Administrative Services Program			2,453,134
(h) Land Survey Program			342,387
The appropriation to the Department of Conservation and Natural Resources shall include Alabama's pro rata share of the Gulf States Marine Fisheries Commission operation expenses. The appropriation to the Department of Conservation and Natural Resources includes funds for the maintenance, staff and repair of			

the Governor's official beach mansion.			
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	1,561,700		
(2) Game and Fish Fund		12,738,314	
(3) State Lands Fund		805,000	
The funds hereinabove appropriated from the State Lands Fund includes funds for analyzing, cataloging and monitoring mineral reserves and the development thereof on State lands including water and offshore areas.			
(4) Marine Resources Fund		1,905,000	
In addition to the monies hereinabove appropriated from the Marine Resources Fund, all monies derived from contracts, grants or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated and may be expended by the Commissioner of Conservation on such Marine Resources Division programs or projects which he deems appropriate.			
(5) Marine Police Fund		2,772,524	
(6) State Parks Fund		300,000	
(7) Parks Revolving Fund		14,858,851	
(8) Administrative Funds		2,453,134	
The funds hereinabove appropriated shall be payable as provided in Section 9-2-1 et seq., Code of Alabama 1975.			
(9) Cigarette Tax		600,000	
(10) Land Survey Fund		342,387	
(11) Federal Land and Water Fund ...		1,200,000	
Total Department of Conservation and Natural Resources	1,561,700	37,975,210	39,536,910
In addition to the above appropriation to the Department of Conservation and Natural Resources, there is hereby appropriated one million dollars ($1,000,000) from the State General Fund to the Outdoor Recreation Sites and Services Program to be conditioned on the availability of funds in the State General Fund and the approval of the Governor.			

24. CONTRACTORS, STATE LICENSING BOARD FOR GENERAL:			
(a) Professional and Occupational Licensing and Regulation Program			373,287
SOURCE OF FUNDS:			
(1) State Licensing Board for General Contractors Fund		373,287	
Pursuant to Section 34-8-25, Code of Alabama 1975. In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.			
Total State Licensing Board for General Contractors		373,287	373,287
25. CORRECTIONS, DEPARTMENT OF:			
(a) Administrative Services and Logistical Support Program			8,892,505
(b) Institutional Services Corrections Program			95,792,747
(c) Correctional Industries Program ..			15,296,485
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	103,992,312		
(2) Department of Corrections Fund		15,989,425	
The Commissioner of the Department of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appropriate, to generate additional funds which would effectively increase the appropriations for the Department of Corrections. Any such grant funds so generated and in direct support of the Department of Corrections' operations are also hereby appropriated.			
Total Department of Corrections	103,992,312	15,989,425	119,981,737
In addition to the above appropriation to the Department of Corrections, there is hereby appropriated $2,500,000 to be conditioned upon the availability of funds in the State			

General Fund and the approval of the Governor.		
26. COSMETOLOGY, ALABAMA BOARD OF:		
(a) Professional and Occupational Licensing and Regulation Program		487,500
SOURCE OF FUNDS:		
(1) Alabama Board of Cosmetology Fund	487,500	
As provided in Section 34-7-42, Code of Alabama 1975.		
Total Alabama Board of Cosmetology	487,500	487,500
27. COUNSELING, ALABAMA BOARD OF EXAMINERS IN:		
(a) Professional and Occupational Licensing and Regulation Program		48,500
SOURCE OF FUNDS:		
(1) Alabama Board of Examiners in Counseling Fund	48,500	
As provided in Section 34-8A-6, Code of Alabama 1975.		
Total Alabama Board of Examiners in Counseling	48,500	48,500
28. CREDIT UNION ADMINISTRATION, ALABAMA:		
(a) Charter, License and Regulate Financial Institutions Program		384,110
SOURCE OF FUNDS:		
(1) Alabama Credit Union Administration Fund	384,110	
As provided in Section 5-17-7, Code of Alabama 1975, as amended.		
Total Alabama Credit Union Administration	384,110	384,110
29. CRIME VICTIMS COMPENSATION COMMISSION, ALABAMA:		
(a) Special Services Program, Estimated		344,257
SOURCE OF FUNDS:		
(1) Alabama Crime Victims Compensation Commission Fund, Estimated	344,257	
To be expended in accordance with Sections 15-23-1 et seq., Code of Alabama 1975, as amended.		

Total Alabama Crime Victims Compensation Commission		344,257	344,257
30. CRIMINAL JUSTICE INFORMATION CENTER, ALABAMA:			
(a) Criminal Justice Information Services Program			3,025,534
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	2,336,431		
(2) Local Funds		689,103	
Total Alabama Criminal Justice Information Center	2,336,431	689,103	3,025,534
31. DEVELOPMENT OFFICE, ALABAMA:			
(a) Promotional Development Program-Alabama Film Commission			250,000
(b) Administrative Services Program-Office of Minority Business			95,500
(c) Industrial Development Program-Alabama Development Office			4,009,451
SOURCE OF FUNDS:			
(1) State General Fund-Transfer-Alabama Development Office	3,909,451		
(2) State General Fund-Transfer-Office of Minority Business	95,500		
(3) State General Fund-Transfer-Alabama Film Commission	250,000		
(4) Federal, Local and Miscellaneous Funds		100,000	
Total Alabama Development Office	4,254,951	100,000	4,354,951
In addition to the above appropriations to the Alabama Development Office, there is hereby appropriated one million dollars ($1,000,000) from the State General Fund to the industrial development program of the Alabama Development Office to be conditioned on the availability of funds in the State General Fund and the approval of the Governor.			
32. DISTRICT ATTORNEYS:			
(a) Court Operations Program			10,095,488
The proposed spending plan included in the above total is as follows:			
Salaries of District Attorneys 2,297,275			
Salary of elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit 56,319			

For the use of the elected Assistant District Attorney of the Bessemer Division of the 10th Judicial Circuit 110,947

Salaries and expenses of Supernumerary District Attorneys 1,142,512

For use in the District Attorney's Office of the following Judicial Circuits:

1st Judicial Circuit 97,999

2nd Judicial Circuit 90,622

3rd Judicial Circuit 145,303

4th Judicial Circuit 340,314

5th Judicial Circuit 294,072

6th Judicial Circuit 242,048

7th Judicial Circuit 188,715

8th Judicial Circuit 147,564

9th Judicial Circuit 117,994

10th Judicial Circuit 370,757

11th Judicial Circuit 105,365

12th Judicial Circuit 210,978

13th Judicial Circuit 349,688

14th Judicial Circuit 109,224

15th Judicial Circuit 345,239

16th Judicial Circuit 165,981

17th Judicial Circuit 72,884

18th Judicial Circuit 182,293

19th Judicial Circuit 138,772

20th Judicial Circuit 165,997

21st Judicial Circuit 125,780

22nd Judicial Circuit 109,374

23rd Judicial Circuit 256,725

24th Judicial Circuit 103,211

25th Judicial Circuit 99,249

26th Judicial Circuit 168,785

27th Judicial Circuit 127,409

28th Judicial Circuit 150,768

29th Judicial Circuit 157,560

30th Judicial Circuit 157,361

31st Judicial Circuit 101,825

32nd Judicial Circuit 117,925

33rd Judicial Circuit 112,930

34th Judicial Circuit 89,915

35th Judicial Circuit 85,647

36th Judicial Circuit 86,632			
37th Judicial Circuit 133,631			
38th Judicial Circuit 123,011			
39th Judicial Circuit 90,632			
Travel Expense of District Attorneys 64,302			
Investigators Subsistence-Act 85-754 143,954			
SOURCE OF FUNDS:			
(1) State General Fund	10,095,488		
Total District Attorneys	10,095,488		10,095,488
In addition to the above appropriation to the several district attorneys, any funds received by the respective district attorneys offices from Act No. 596 of the 1987 Regular Session are also hereby appropriated.			
33. ECONOMIC AND COMMUNITY AFFAIRS, ALABAMA DEPARTMENT OF:			
(a) Administrative Support Services Program			4,698,526
(b) Planning Program			41,125,133
(c) Special Services Program			20,787,372
(d) Skills Enhancement and Employment Opportunities Program			66,881,788
(e) Energy Management Program			13,524,843
(f) Traffic Control and Accident Prevention Program			3,051,323
(g) Law Enforcement Planning and Development Program			2,267,481
(h) Surplus Property Program			1,116,700
(i) Regional Planning Commission			300,000
(j) Coal Water Fuel Development Project			100,000
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	8,262,983		
(2) Federal, Local and Miscellaneous Funds		140,624,915	
(3) Administrative Transfers		3,848,568	
(4) Administrative Transfers from Federal Donated Surplus Property Sales		506,700	
(5) Administrative Transfers from State-Owned Surplus Property Sales		610,000	

Total Alabama Department of Economic and Community Affairs	8,262,983	145,590,183	153,853,166
In addition to the above appropriation to the Alabama Department of Economic and Community Affairs-Planning Program, there is also hereby appropriated $1,000,000 to be conditioned upon the availability of funds in the State General Fund and upon the approval of the Governor.			
34. ELECTRICAL CONTRACTORS, BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			85,000
SOURCE OF FUNDS:			
(1) Electrical Contractors Board Fees		85,000	
As provided by Act No. 85-921, 1985 Second Special Session.			
Total Board of Electrical Contractors		85,000	85,000
35. ELK RIVER DEVELOPMENT AGENCY:			
(a) Water Resource Development Program			4,265
SOURCE OF FUNDS:			
(1) State General Fund	4,265		
Total Elk River Development Agency	4,265		4,265
36. EMERGENCY MANAGEMENT AGENCY:			
(a) Readiness and Recovery Program			4,129,530
(b) Transfer to County Emergency Management Agencies			350,000
The above appropriation of $350,000 is to be in addition to the regular allocations to county emergency management agencies.			
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	1,054,469		
(2) Federal, Local and Miscellaneous Funds		3,425,061	
Total Emergency Management Agency	1,054,469	3,425,061	4,479,530
37. ENERGY BOARD, SOUTHERN STATES:			
(a) Discovery and Development of Mineral, Energy and Water Resources, Geological Research and Topographic Mapping Program			21,171

SOURCE OF FUNDS:			
(1) State General Fund	21,171		
Total Southern States Energy Board	21,171		21,171
38. ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR PROFESSIONAL:			
(a) Professional and Occupational Licensing and Regulation Program			393,799
SOURCE OF FUNDS:			
(1) Professional Engineers' Fund		393,799	
As provided in Section 34-11-36, Code of Alabama 1975.			
Total State Board of Registration for Professional Engineers and Land Surveyors		393,799	393,799
39. ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF:			
(a) Environmental Management Program			11,339,581
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	3,113,488		
(2) Environmental Management Fees and Fines		2,400,945	
As provided in Section 22-22A-11, Code of Alabama 1975 (1983 Cum. Supp.).			
(3) Federal, Local and Miscellaneous Funds		5,825,148	
Total Department of Environmental Management	3,113,488	8,226,093	11,339,581
40. ETHICS COMMISSION, ALABAMA:			
(a) Regulation of Public Officials and Employees Program			305,000
SOURCE OF FUNDS:			
(1) State General Fund	305,000		
Total Alabama Ethics Commission	305,000		305,000
41. FARM CRISIS AND TRANSITION PROGRAM:			
(a) Agricultural Development Services Program			166,250
SOURCE OF FUNDS:			
(1) State General Fund	166,250		

Total Farm Crisis and Transition Program	166,250		166,250
42. FARMERS' MARKET AUTHORITY:			
(a) Agricultural Development Services Program			249,101
SOURCE OF FUNDS:			
(1) State General Fund-Transfer for Administration	93,216		
(2) Farmers' Market Authority Fund-Revenue and Capital Outlay Account		155,885	
Total Farmers' Market Authority	93,216	155,885	249,101
43. FINANCE, DEPARTMENT OF:			
(a) Fiscal Management Program			3,148,950
(b) Administrative Support Services Program			3,858,675
(c) Capitol Police-Equipment			71,036
SOURCE OF FUNDS:			
(1) State General Fund	6,838,157		
(2) State General Fund-State House Rent	190,504		
(3) Miscellaneous Funds		50,000	
Total Department of Finance	7,028,661	50,000	7,078,661
44. FINANCE, DEPARTMENT OF-AIR TRANSPORTATION:			
(a) Administrative Support Services Program			1,598,243
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	1,142,808		
(2) Departmental Receipts		455,435	
Total Department of Finance-Air Transportation	1,142,808	455,435	1,598,243
45. FINANCE, DEPARTMENT OF-STATE INSURANCE FUND:			
(a) Administrative Support Services Program			783,051
SOURCE OF FUNDS:			
(1) State Insurance Fund-Administrative		783,051	
As provided in Section 41-15-1 et seq., Code of Alabama 1975.			

Total Department of Finance-State Insurance Fund		783,051	783,051
46. FOREIGN TRADE RELATIONS COMMISSION:			
(a) Special Services Program			80,220
SOURCE OF FUNDS:			
(1) State General Fund	80,220		
Total Foreign Trade Relations Commission	80,220		80,220
47. FORENSIC SCIENCES, DEPARTMENT OF:			
(a) Forensic Science Services Program			5,309,000
SOURCE OF FUNDS:			
(1) State General Fund	5,122,000		
(2) Federal, Local and Miscellaneous Funds		187,000	
Total Department of Forensic Sciences	5,122,000	187,000	5,309,000
48. FORESTERS, ALABAMA STATE BOARD OF REGISTRATION FOR:			
(a) Professional and Occupational Licensing and Regulation Program			24,500
SOURCE OF FUNDS:			
(1) Professional Foresters' Fund		24,500	
As provided in Section 34-12-36, Code of Alabama 1975.			
Total Alabama State Board of Registration for Foresters		24,500	24,500
49. FORESTRY COMMISSION, ALABAMA:			
(a) Forest Resources Protection Program			13,409,910
(b) Forest Resources Development Program			3,179,900
(c) Administrative Services Program			2,230,690
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	10,388,500		
(2) Federal and Local Funds		2,275,000	
(3) Forestry Commission Fund		6,157,000	
Of the above appropriation, at least $650,000 shall be used for rural and community fire protection.			

Total Alabama Forestry Commission	10,388,500	8,432,000	18,820,500
In addition to the above appropriation to the Alabama Forestry Commission, there is hereby conditionally appropriated $400,000 for capital outlay from the Alabama Forestry Commission Fund contingent on the satisfactory sale of certain present property where the Birmingham District Headquarters is located in Jefferson County. The proceeds from said sale shall be covered into the Alabama Forestry Commission Fund. The above conditional appropriation shall be used to purchase land, building(s), and/or construction of building(s) in order to relocate the Birmingham District Headquarters. This conditional appropriation shall become absolute when said sale is concluded, recommended by the Finance Director and approved by the Governor.			
50. FUNERAL SERVICE, ALABAMA BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			120,000
SOURCE OF FUNDS:			
(1) Alabama Funeral Directors and Embalmers Fund		120,000	
As provided in Section 34-13-23, Code of Alabama 1975, as amended.			
Total Alabama Board of Funeral Service		120,000	120,000
51. GEOLOGICAL SURVEY:			
(a) Discovery and Development of Mineral, Energy and Water Resources, Geologic Research and Topographic Mapping Program			2,120,034
SOURCE OF FUNDS:			
(1) State General Fund	1,753,001		
(2) Federal, Local and Micellaneous Funds		367,033	
Total Geological Survey	1,753,001	367,033	2,120,034
52. GORGAS MEMORIAL BOARD:			
(a) Historical Resources Management Program			7,894
SOURCE OF FUNDS:			
(1) State General Fund	7,894		

As provided in Section 41-9-220, Code of Alabama 1975 and an additional amount.		
Total Gorgas Memorial Board	7,894	7,894
53. GOVERNOR'S CONTINGENCY FUND:		
(a) Executive Direction Program		1,562,900
SOURCE OF FUNDS:		
(1) State General Fund	1,562,900	
Total Governor's Contingency Fund	1,562,900	1,562,900
54. GOVERNOR'S MANSION ADVISORY BOARD:		
(a) Historical Resources Management Program		9,073
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	9,073	
Total Governor's Mansion Advisory Board	9,073	9,073
55. GOVERNOR'S MANSION:		
(a) Executive Direction Program		181,450
SOURCE OF FUNDS:		
(1) State General Fund	181,450	
Total Governor's Mansion	181,450	181,450
56. GOVERNOR'S OFFICE:		
(a) Executive Direction Program		1,464,506
SOURCE OF FUNDS:		
(1) State General Fund	1,388,093	
(2) State General Fund-State House Rent	76,413	
Total Governor's Office	1,464,506	1,464,506
57. GOVERNOR'S OFFICE-LEGAL:		
(a) Executive Direction Program		92,540
SOURCE OF FUNDS:		
(1) State General Fund	92,540	
Total Governor's Office-Legal	92,540	92,540
58. GOVERNOR'S VOLUNTARY CITIZENS' PARTICIPATION:		
(a) Executive Direction Program		164,410
SOURCE OF FUNDS:		
(1) State General Fund	82,000	

(2) Federal, Local and Miscellaneous Funds		13,065	
(3) Transfer from Governor's Office		69,345	
Total Governor's Voluntary Citizens' Participation	82,000	82,410	164,410
59. HEALTH, DEPARTMENT OF PUBLIC:			
(a) Personal Health Improvement Program			57,675,144
(b) Health Support Services Program			59,977,764
Of this amount $6,429,836 shall go to support local health department services of which $4,020,000 shall be used to provide a minimum staff in each of the sixty-seven counties, and the remaining amount shall be distributed on a one-to-one match with locally appropriated funds for the support of local health services on a formula to be determined by the department. At the end of the first quarter, any unmatched funds may be distributed to other counties with appropriate matching funds.			
(c) Administrative Services Program			6,684,736
SOURCE OF FUNDS:			
(1) State General Fund	20,593,995		
(2) Cigarette Tax-$0.01 and $0.02		4,002,848	
As provided in Section 40-25-2 and Section 40-25-23, Code of Alabama 1975, as amended.			
(3) Vital Statistics Fund		1,693,053	
(4) Hospital Licensing Fund		225,000	
(5) Emergency Medical Services Fund		50,000	
As provided in Section 22-18-4, Code of Alabama 1975.			
(6) Local Health Department		39,491,371	
(7) Nuclear Monitoring Fund		112,000	
(8) Radiation Safety Fund		172,000	
(9) Miscellaneous Funds		5,735,749	
(10) Federal Funds		52,261,628	
Total Department of Public Health	20,593,995	103,743,649	124,337,644
By October 1, 1987, the Alabama Department of Public Health, Licensure and Certification, will assure			

quality of care given to individual patients by certified home health agencies. This may be done by a certified sampling method but must include all home health agencies statewide during the course of the year.			
60. HEALTH PLANNING AGENCY, STATE:			
(a) Health Planning, Development and Regulation Program			712,455
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	287,455		
(2) Certificate of Need Fees		375,000	
(3) Federal, Local and Miscellaneous Funds		50,000	
Total State Health Planning Agency	287,455	425,000	712,455
61. HEARING AID DEALERS, ALABAMA BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			50,000
SOURCE OF FUNDS:			
(1) State Board of Health-Hearing Aid Fund		50,000	
As provided in Section 34-14-33, Code of Alabama 1975.			
Total Alabama Board of Hearing Aid Dealers		50,000	50,000
62. HEATING AND AIR CONDITIONING CONTRACTORS, BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			117,332
SOURCE OF FUNDS:			
(1) Heating and Air Conditioning Contractors Fund		117,332	
Total Board of Heating and Air Conditioning Contractors		117,332	117,332
63. HERITAGE TRUST FUND, ALABAMA:			
(a) Fiscal Management Program			20,000
SOURCE OF FUNDS:			
(1) Heritage Trust Income		20,000	

Total Alabama Heritage Trust Fund ..		20,000	20,000
64. HIGHWAY DEPARTMENT:			
(a) Central Administration Program			10,080,682
(b) Division and District Supervision Program			18,869,261
(c) Operations and Support Services Program			8,351,901
(d) Maintenance Program			129,113,937
(e) Non-Programmatic Programs			92,036,209
Proposed Spending Plan for the above (e) includes the following:			
Debt Service 89,992,392			
Equipment-Other than Automotive 2,043,817			
(f) Construction-Federal Aid Program			409,987,568
Proposed Spending Plan for the above (f) includes the following:			
Federal Aid Matching 60,615,416			
Non-Participating Work on Federal Projects 1,000,000			
Federal Aid 348,372,152			
(g) Construction-State Program			20,250,000
(h) Operations-Land and Buildings			1,745,700
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	311,500		
(2) Public Road and Bridge Fund		341,751,606	
(3) Federal Aid		348,372,152	

There is hereby appropriated, for payment of the principal of and the interest on all bonds heretofore or hereafter issued for public highways and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, Alabama Federal Aid Highway Finance Authority, or Alabama Industrial Access Road and Bridge Corporation, a total of $89,992,392 or so much as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment. The Highway Director with the consent of the Governor and the Finance Director shall have the authority to transfer any appropriation or any portion thereof between and among Subsections (a), (b), (c), (d), (e), (f), (g), (h) of this

Section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable. In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:

(1) the appropriations made for Debt Service in Subsection (e) hereof shall be paid in full (2) the appropriations from the revenues accruing to the State Highway Department that are herein made for the purposes referred to in Subsections (a), (b), (c), (d), (e), (f), (g), (h) except for Debt Service, hereof shall be allocated among the purposes referred to in said Subsections in such order and with such priorities as the State Highway Director shall from time to time direct. The funds appropriated in Subsection (f) hereof, for the matching Federal Funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purpose for which such appropriation was made. No funds appropriated to the State Highway Department may be contracted for nor expended for the planning, design or construction of any highway above grade level in the city of Mobile on Water Street between Congress Street and Government Street. In addition to all appropriations hereinabove made there is hereby appropriated to the State Highway Department all Federal Funds accruing thereto to be expended only for the purpose for which such funds are made available.

Total Highway Department	311,500	690,123,758	690,435,258

65. HISTORIC BLAKELEY AUTHORITY:

(a) Tourism and Travel Promotion Program			140,150
(b) Capital Outlay			50,000

SOURCE OF FUNDS:		
(1) State General Fund	190,150	
Total Historic Blakeley Authority	190,150	190,150
66. HISTORIC CHATTAHOOCHEE COMMISSION:		
(a) Historical Resources Management Program		80,000
SOURCE OF FUNDS:		
(1) State General Fund	80,000	
Total Historic Chattahoochee Commission	80,000	80,000
67. HISTORICAL COMMISSION, ALABAMA:		
(a) Historical Resources Management Program		1,312,192
(b) Historical Resources Management Program-Capital Outlay		239,000
(c) Historical Preservation Projects		250,000
Of the above appropriation to Historical Preservation Projects, the amount of $50,000 shall be expended for the Iron Foundry Restoration Project.		
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	685,455	
The State General Fund appropriation shall be distributed as follows:		
Historical Commission, Alabama 484,858		
Historical Commission-La Grange 7,774		
Historical Commission-Richard P. Hobson Memorial Board 5,724		
Historical Commission-Fort Morgan 110,345		
Historical Commission-Fort Toulouse 40,294		
Historical Commission-John T. Morgan House, Selma 11,460		
Historical Commission-Cahaba 25,000		
(2) State General Fund-Transfer-Capital Outlay	239,000	
The State General Fund Transfer for Capital Outlay shall be distributed as follows:		
Belle Mont 94,000		

Cahaba 25,000			
Fort Morgan 25,000			
John T. Morgan House 50,000			
Magnolia Grove 45,000			
(3) State General Fund-Transfer-Historical Preservation Projects	250,000		
(4) Federal, Local and Miscellaneous Funds		626,737	
Total Alabama Historical Commission	1,174,455	626,737	1,801,192
68. HUMAN RESOURCES, DEPARTMENT OF:			
(a) Human Services Program			256,238,481
It is the intent of the Legislature that allotments be made to the County Departments of Human Resources in the amount of $165,500 to fund, upon approval of the county department director, supplemental client services not otherwise provided for through existing programs of the Department of Human Resources. Allotments to the county departments based on the counties' populations according to the 1980 census are as follows: county populations greater than 50,000, $3,500; county populations less than 50,000, $2,000.			
The appropriation to the Department of Human Resources shall include a transfer to the Department of Mental Health and Mental Retardation of $2,500,000 of Title XX Funds.			
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	10,035,931		
(2) Federal, Local and Miscellaneous Funds		170,513,794	
(3) ABC Profits		1,250,000	
(4) Whiskey Tax		19,600,000	
(5) Beer Tax		8,100,000	
(6) Pension Residue		12,350,000	
(7) Sales Tax		1,322,000	
(8) Franchise Tax		10,958,000	
(9) Contracts, Service Fees		80,000	
(10) Child Support Collections		2,943,756	
(11) Sales Tax for Food Stamps		10,760,000	
(12) Cigarette Tax		4,375,000	

(13) Contractor's Gross Receipts Tax		1,950,000	
(14) Transfer from ABC Board		2,000,000	
Total Department of Human Resources	10,035,931	246,202,550	256,238,481
It is the intent of the Legislature that two-thirds of the state's present and future client slots for the program known as the "Medicaid Waiver Services Program-Home and Community-Based Waiver for the Elderly and Disabled" be served by the Department of Human Resources. The Department of Human Resources may contract with other agencies, specifically including-the State Department of Public Health, to provide the services under the Medicaid Waiver Services Program.			
69. INDIAN AFFAIRS COMMISSION, ALABAMA:			
(a) Social Services Program			135,000
The above appropriation is to be expended in accordance with Sections 41-9-708 et seq., Code of Alabama 1975, as amended.			
SOURCE OF FUNDS:			
(1) State General Fund	135,000		
Total Alabama Indian Affairs Commission	135,000		135,000
70. INDUSTRIAL DEVELOPMENT AUTHORITY, STATE:			
(a) Industrial Development Program			97,000
SOURCE OF FUNDS:			
(1) SIDA Application Fees Fund		97,000	
Total State Industrial Development Authority		97,000	97,000
71. INDUSTRIAL RELATIONS, DEPARTMENT OF:			
(a) Unemployment Compensation Program			16,037,088
(b) Skills Enhancement and Employment Opportunities Program			19,395,639
(c) Industrial Safety and Accident Prevention Program			4,833,596
(d) Administrative Services Program			8,400,946
(e) Workmen's Compensation Program			549,827

SOURCE OF FUNDS:			
(1) State General Fund	1,148,296		
(2) Federal, Local and Miscellaneous Funds		48,068,800	
Total Department of Industrial Relations	1,148,296	48,068,800	49,217,096
72. INSURANCE, DEPARTMENT OF:			
(a) Regulatory Services Program			2,316,506
SOURCE OF FUNDS:			
(1) State General Fund	1,244,919		
(2) Examiners Fund		938,161	
(3) Fire Marshal's Fund		133,426	
As provided in Section 24-5-10, Code of Alabama 1975, as amended.			
Any balance in excess of $50,000 at the end of the fiscal year shall be transferred to the State General Fund.			
Total Department of Insurance	1,244,919	1,071,587	2,316,506
73. INSURANCE BOARD, STATE EMPLOYEES':			
(a) Administrative Support Services Program			122,900
SOURCE OF FUNDS:			
(1) State Employees' Insurance Board Expense Fund		122,900	
Total State Employees' Insurance Board		122,900	122,900
74. INTERIOR DESIGNERS, ALABAMA STATE BOARD OF REGISTRATION FOR:			
(a) Professional and Occupational Licensing and Regulation Program			5,700
SOURCE OF FUNDS:			
(1) Interior Designers Fund		5,700	
As provided in Section 34-15A-7, Code of Alabama 1975, (1983 Cum. Supp.).			
Total Alabama State Board of Registration for Interior Designers		5,700	5,700
75. LABOR, DEPARTMENT OF:			
(a) Regulatory Services Program			350,480
SOURCE OF FUNDS:			
(1) State General Fund	301,480		

(2) Federal, Local and Miscellaneous Funds		49,000	
Total Department of Labor	301,480	49,000	350,480
76. LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS FOR:			
(a) Professional and Occupational Licensing and Regulation Program			15,895
SOURCE OF FUNDS:			
(1) Landscape Architects Fund		15,895	
As provided in Section 34-17-6, Code of Alabama 1975.			
Total Board of Examiners for Landscape Architects		15,895	15,895
77. LIQUEFIED PETROLEUM GAS BOARD:			
(a) Regulatory Services Program			267,000
SOURCE OF FUNDS:			
(1) Liquefied Petroleum Gas Board Fund		267,000	
Total Liquefied Petroleum Gas Board		267,000	267,000
77A. MANUFACTURED HOUSING COMMISSION, ALABAMA:			
(a) Regulatory Services Program			149,486
SOURCE OF FUNDS:			
(1) Alabama Manufactured Housing Commission Fund		149,486	
As provided in Section 24-5-13.1, Code of Alabama 1975, as amended.			
Total Alabama Manufactured Housing Commission		149,486	149,486
78. MEDICAID AGENCY, ALABAMA:			
(a) Medical Assistance Through Medicaid Program			478,447,965
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	101,600,000		
(2) Transfer from Department of Human Resources		1,945,674	
(3) Transfer from Mental Health		18,109,380	
(4) Transfer from Commission On Aging		1,607,735	
(5) Federal, Local and Miscellaneous Funds		355,185,176	

Total Alabama Medicaid Agency	101,600,000	376,847,965	478,447,965
It is the intent of the Legislature that a portion of the above appropriation of State and Federal funds be used for the Medicaid Agency's program to expand Medicaid coverage for expectant mothers and their babies, (also referred to as the SOBRA Program).			
In addition to the above appropriation to the Alabama Medicaid Agency, it is the intent of the Legislature that any donations, appropriations or funds received by the state on behalf of the Alabama Medicaid Agency's program to expand medical coverage for expectant mothers, mothers and babies is hereby appropriated to the Alabama Medicaid Agency.			
79. MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF:			
(a) Institutional Treatment and Care-Mental Illness Program			84,495,467
(b) Institutional Treatment and Care-Mental Retardation Program			68,027,005
(c) Institutional Treatment and Care-Criminally Insane Program			5,195,229
(d) Administrative Services Program			5,002,186
(e) Community Services Program			51,101,196
(f) Patient Advocacy Program			298,003
(g) Special Mental Health Services Program			275,000
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	57,258,000		
(2) Special Mental Health Trust Fund		83,043,403	
For operations and maintenance of the State Mental Health and Mental Retardation Department and the Mental Health and Mental Retardation Community Programs, including the purchase of drugs for medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama State Hospitals.			
(3) Transfer from ABC Profits		1,000,000	
(4) Cigarette Tax		6,700,000	

(5) Transfer from Department of Human Resources-Title XX		2,500,000	
(6) Federal, Local and Miscellaneous Funds		63,892,683	
Total Department of Mental Health and Mental Retardation	57,258,000	157,136,086	214,394,086
In addition to the above appropriation to the Department of Mental Health and Mental Retardation, there is also hereby conditionally appropriated the sum of $50,000 which shall match private donations of $25,000 cash and shall be used for capital outlay purposes in the M4 catchment area; and such conditional appropriation shall be conditioned only upon the verification of the receipt of such private donations.			
80. MILITARY DEPARTMENT:			
(a) Military Operations Program			5,394,188
(b) Capital Outlay			250,000
SOURCE OF FUNDS:			
(1) State General Fund-Operations	1,644,538		
(2) State General Fund-Quarterly Allowances Headquarters	1,363,800		
Regular Allowance Units to be used solely for operating expenses; provided, that no more than $4,500 shall be allotted in any fiscal year for the Alabama National Guard Headquarters.			
(3) State General Fund-Transfer-Capital Outlay for Architect and Engineering Services, specifications and construction of facilities	250,000		
(4) State General Fund-Active Military Service	75,000		
(5) State General Fund-Transfer to Armory Commission	2,300,000		
(6) State General Fund-Dropping Allowance	4,500		
(7) State General Fund-State Defense Force	6,350		
Total Military Department	5,644,188		5,644,188
81. MILITARY DEPARTMENT-ARMORY COMMISSION OF ALABAMA:			
(a) Military Operations Program			4,340,843
SOURCE OF FUNDS:			
(1) Transfer from Military Department		2,300,000	

(2) Federal, Local and Miscellaneous Funds		2,040,843	
The funds hereinabove appropriated to the Armory Commission shall be payable from the funds in the State Treasury to the credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care, maintenance, and construction of facilities; provided, however, that the last federal government service contract reimbursement shall not revert to the State General Fund. Any surplus remaining in the Armory Commission Fund at the end of the fiscal year in excess of $50,000 shall be transferred to the State General Fund.			
Total Armory Commission of Alabama		4,340,843	4,340,843
82. MOTOR SPORTS HALL OF FAME:			
(a) Tourism and Travel Promotion Program			68,044
SOURCE OF FUNDS:			
(1) State General Fund	68,044		
Total Motor Sports Hall of Fame	68,044		68,044
83. MUSIC HALL OF FAME, ALABAMA:			
(a) Fine Arts Program			115,725
SOURCE OF FUNDS:			
(1) State General Fund	115,725		
Total Alabama Music Hall of Fame	115,725		115,725
84. NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS OF:			
(a) Professional and Occupational Licensing and Regulation Program			40,000
SOURCE OF FUNDS:			
(1) Board of Examiners of Nursing Home Administrators Fund		40,000	
As provided in Section 34-20-7, Code of Alabama 1975, as amended.			

Total Board of Examiners of Nursing Home Administrators		40,000	40,000
85. OIL AND GAS BOARD:			
(a) Management and Regulation of Oil and Gas Exploration and Development Program			2,012,060
SOURCE OF FUNDS:			
(1) State General Fund	2,002,060		
(2) Federal, Local and Miscellaneous Funds		10,000	
Total Oil and Gas Board	2,002,060	10,000	2,012,060
In addition to the above appropriation to the Oil and Gas Board, there is hereby conditionally appropriated the amount of $100,000 from the Oil and Gas Board Special Fund to be conditioned upon the passage of the legislation creating the Oil and Gas Board Special Fund during the 1987 Regular Session, and upon the approval of the Governor.			
86. PARDONS AND PAROLES, BOARD OF:			
(a) Administration of Pardons and Paroles Program			9,133,457
SOURCE OF FUNDS:			
(1) State General Fund	6,344,957		
(2) Probationers Upkeep Fund		2,788,500	
In accordance with Section 15-22-2, Code of Alabama 1975.			
Total Board of Pardons and Paroles	6,344,957	2,788,500	9,133,457
87. PEACE OFFICERS' ANNUITY AND BENEFIT FUND, ALABAMA:			
(a) Retirement Systems Program			262,912
SOURCE OF FUNDS:			
(1) Peace Officers' Annuity and Benefit Fund		262,912	
As provided in Section 36-21-66, Code of Alabama 1975.			
Total Alabama Peace Officers' Annuity and Benefit Fund		262,912	262,912
88. PERSONNEL DEPARTMENT, STATE:			
(a) Administrative Support Services Program			2,498,608
SOURCE OF FUNDS:			
Transfers to the State Personnel Department shall be as follows:			
(1) Board of Public Accountancy		243	

(2) Department of Aeronautics	364
(3) Commission on Aging	1,658
(4) Department of Agriculture and Industries	39,584
(5) Agricultural Center Board	1,294
(6) Alcoholic Beverage Control Board	77,267
(7) Board of Registration for Architects	121
(8) Archives and History	3,679
(9) Council on Arts and Humanities	687
(10) Attorney General's Office	11,240
(11) State Auditor	1,496
(12) State Banking Department	4,124
(13) Building Commission	1,617
(14) Child Abuse and Neglect Prevention Board	81
(15) Chiropractic Examiners	81
(16) Civil Air Patrol	81
(17) Department of Conservation and Natural Resources	84,181
(18) State Licensing Board for General Contractors	445
(19) Department of Corrections	217,124
(20) Board of Cosmetology	809
(21) Credit Union Administration	445
(22) Alabama Crime Victims Compensation	526
(23) Criminal Justice Information Center	4,124
(24) Alabama Development Office	2,830
(25) State Docks	42,940
(26) Department of Economic and Community Affairs	26,564
(27) Department of Education	111,999
(28) Electrical Contractors Board	40
(29) Emergency Management Agency	3,275
(30) Local Emergency Management	5,000
(31) Board of Registration for Professional Engineers and Land Surveyors	364
(32) Department of Environmental Management	19,529
(33) Ethics Commission	566

(34) Examiners of Public Accounts	16,739
(35) Farmers' Market Authority	202
(36) Finance Department	38,613
(37) Finance-Air Transportation	1,456
(38) Finance-Alabama Building Authority	2,345
(39) Finance-Alabama Building Finance Authority	1,051
(40) Firefighters' Personnel Standards and Education Commission	243
(41) Foreign Trade Relations Commission	121
(42) Department of Forensic Sciences	9,744
(43) Forestry Commission	35,783
(44) Funeral Services	121
(45) Geological Survey	4,326
(46) Governor's Office	1,536
(47) Department of Public Health	159,467
(48) State Health Planning Agency ...	1,496
(49) Board of Heating and Air Conditioning Contractors	162
(50) Highway Department	339,797
(51) Alabama Historical Commission	4,609
(52) Housing Finance Authority	40
(53) Department of Human Resources	311,777
(54) Alabama Indian Affairs Commission	202
(55) Department of Industrial Relations	147,458
(56) Insurance Department	4,448
(57) State Employees' Insurance Board	81
(58) Judicial Inquiry Commission	40
(59) Department of Labor	809
(60) Legislative Reference Service	485
(61) Liquefied Petroleum Gas Board	526
(62) Manufactured Housing Commission	323
(63) Alabama Medicaid Agency	23,168
(64) Department of Mental Health and Mental Retardation	401,700
(65) Military Department	14,515
(66) Board of Nursing	1,253

(67) Board of Examiners of Nursing Home Administrators	40	
(68) Oil and Gas Board	4,529	
(69) Pardons and Paroles	21,995	
(70) Peace Officers' Annuity and Benefit Fund	202	
(71) Peace Officers' Standards and Training Commission	526	
(72) Physical Fitness Commission	485	
(73) Board of Physical Therapy	81	
(74) Board of Polygraph Examiners	81	
(75) Public Library Service	4,812	
(76) Department of Public Safety	96,432	
(77) Public Service Commission	10,553	
(78) Alabama Educational Television Commission	7,197	
(79) Real Estate Commission	1,577	
(80) Retirement Systems	9,380	
(81) Department of Revenue	95,543	
(82) Secretary of State	2,143	
(83) Securities Commission	1,779	
(84) Board of Social Work Examiners	81	
(85) Soil and Water Conservation	283	
(86) Surface Mining Commission	4,488	
(87) Bureau of Tourism and Travel	6,550	
(88) State Treasurer	3,841	
(89) Department of Veterans' Affairs	5,337	
(90) Department of Youth Services	31,659	
Total State Personnel Department	2,498,608	2,498,608
89. PHYSICAL THERAPY, BOARD OF:		
(a) Professional and Occupational Licensing and Regulation Program		69,643
SOURCE OF FUNDS:		
(1) Physical Therapy Fund	69,643	
As provided in Section 34-24-195, Code of Alabama 1975.		
Total Board of Physical Therapy	69,643	69,643
90. POLYGRAPH EXAMINERS, BOARD OF:		
(a) Professional and Occupational Licensing and Regulation Program		30,000
SOURCE OF FUNDS:		
(1) Board of Polygraph Examiners Fund	30,000	

As provided in Section 34-25-5, Code of Alabama 1975.			
Total Board of Polygraph Examiners		30,000	30,000
91. PROSECUTION SERVICES, OFFICE OF:			
(a) Prosecution, Training, Education and Management Program			570,747
(b) Court Operations Program			364,688
Of the above appropriation for the Court Operations Program, $314,688 shall be distributed on a formula to be determined by the Executive Committee of the Alabama District Attorneys Association.			
SOURCE OF FUNDS:			
(1) State General Fund	364,688		
(2) Office of Prosecution Services Fund		570,747	
Total Office of Prosecution Services ...	364,688	570,747	935,435
92. PSYCHOLOGY, ALABAMA BOARD OF EXAMINERS IN:			
(a) Professional and Occupational Licensing and Regulation Program			39,450
SOURCE OF FUNDS:			
(1) Board of Examiners in Psychology Fund		39,450	
As provided in Section 34-26-43, Code of Alabama 1975, as amended.			
Total Alabama Board of Examiners in Psychology		39,450	39,450
93. PUBLIC SAFETY, DEPARTMENT OF:			
(a) Traffic Control and Accident Prevention Program			21,648,800
(b) Criminal Investigation Program ...			4,113,844
(c) Driver's Licensing and Improvement Program			9,230,197
(d) Public Safety Support Services Program			5,661,909
(e) Administrative Services Program			3,271,844
(f) Alabama Criminal Justice Training Center Program			1,429,406
SOURCE OF FUNDS:			
(1) State General Fund	45,356,000		

Total Department of Public Safety	45,356,000		45,356,000
94. PUBLIC SERVICE COMMISSION:			
(a) Regulatory Services Program			5,473,101
(b) Administrative Services Program			1,842,134
SOURCE OF FUNDS:			
(1) Public Service Commission Fund		6,665,235	
The above appropriation to the Alabama Public Service Commission shall be payable only from inspection and supervision fees paid by utilities and transportation companies and such parts or percentages of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission Fund at the end of the fiscal year in excess of $600,000 shall be transferred to the State General Fund.			
(2) Gas Pipeline Safety Fund		390,000	
(3) Federal and Miscellaneous Funds		260,000	
Total Public Service Commission		7,315,235	7,315,235
95. REAL ESTATE COMMISSION, ALABAMA:			
(a) Professional and Occupational Licensing and Regulation Program			1,120,119
SOURCE OF FUNDS:			
(1) Alabama Real Estate Commission Fund		1,120,119	
As provided in Section 34-27-4, Code of Alabama 1975, as amended and the total expenditures shall in no manner exceed the amounts hereby appropriated.			
Total Alabama Real Estate Commission		1,120,119	1,120,119
96. REVENUE, DEPARTMENT OF:			
(a) State Revenue Administration Program			46,679,290
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	250,000		
As provided in Section 40-7-70, Code of Alabama 1975, to maintain a program for the equalization of ad valorem tax assessments.			

(2) State General Fund-Transfer-Boards of Equalization	124,442	
(3) Transfers from the proceeds of the following:		
(a) Cigarette Tax Collections		845,405
As provided in Section 40-25-2 and Section 40-25-23, Code of Alabama 1975, as amended.		
(b) Financial Institution Excise Tax Collections		219,104
(c) Forest Severance Tax Collections		80,694
(d) Gasoline Tax Collections		3,836,244
(e) Income Tax Collections		13,019,399
(f) Motor Fuel Tax Collections		799,538
(g) Motor Vehicle License Collections		1,733,613
(h) Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax		530,463
(i) Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax		1,306,937
(j) Sales Tax Collections		11,485,670
(k) Tobacco Tax Collections		34,595
(l) Use Tax Collections		1,256,966
(m) Utility Tax Collections		2,790,695
As provided in Section 40-21-1, Code of Alabama 1975.		
(4) Local Funds		5,500,442
(5) Transfer from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags		2,365,083
(6) Inspection fees for restored vehicles		500,000
As provided in Section 32-8-87 (1), Code of Alabama 1975, as amended.		

The amounts hereinabove appropriated for the cost of maintenance and operations of the Department of Revenue are in lieu of any other statutory provisions for the payment of the cost of operating said Department or collections of the taxes as authorized by law.

Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the

Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses.			
Total Department of Revenue	374,442	46,304,848	46,679,290
97. SECRETARY OF STATE:			
(a) Administrative Support Services Program			772,734
SOURCE OF FUNDS:			
(1) State General Fund	740,770		
(2) State General Fund-State House Rent	31,964		
Total Secretary of State	772,734		772,734
In addition to the above appropriation to the Secretary of State, there is hereby conditionally appropriated the amount of $100,000 to be transferred from the State Banking Department, notwithstanding the provisions of Title 5, Chapter 2A, Sections 20 and 24 of the Code of Alabama 1975, and the amount of $409,400 from Uniform Commercial Code and Farm Products Central Index System Fees, both to be conditioned upon the passage of the Uniform Commercial Code and Farm Products Central Index System Fee adjustment bill in the 1987 Regular Session of the Legislature, upon availability of funds in the Uniform Commercial Code and Farm Products Central Index System Fund and upon the approval of the Governor. Not more than $15,000 of the above appropriation from the Uniform Commercial Code and Farm Products Central Index System Fund shall be expended at the discretion of the Secretary of State to conduct user and public training relating to the Uniform Commercial Code and Farm Products Central Index System Program.			
98. SECURITIES COMMISSION:			
(a) Regulatory Services Program			887,631
SOURCE OF FUNDS:			
(1) State General Fund	462,124		
(2) Industrial Development Bond Notification Fund		203,507	

(3) Sale of Checks License Fund		7,000	
(4) Exemption Fund		215,000	
Total Securities Commission	462,124	425,507	887,631
99. SENIOR CITIZENS HALL OF FAME, ALABAMA:			
(a) Historical Resources Management Program			22,681
To be expended in accordance with Section 41-9-740 et seq., Code of Alabama 1975, as amended.			
SOURCE OF FUNDS:			
(1) State General Fund	22,681		
Total Alabama Senior Citizens Hall of Fame	22,681		22,681
100. SOCIAL WORK EXAMINERS, ALABAMA STATE BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			46,714
SOURCE OF FUNDS:			
(1) Alabama State Board of Social Work Examiners Fund		46,714	
As provided in Section 34-30-6, Code of Alabama 1975, as amended.			
Total Alabama State Board of Social Work Examiners		46,714	46,714
101. SOIL AND WATER CONSERVATION COMMITTEE, STATE:			
(a) Water Resource Development Program			1,149,681
(b) Professional and Occupational Licensing and Regulation Program			3,000
SOURCE OF FUNDS:			
(1) State General Fund	1,129,681		
(2) Soil Classifiers Fund		3,000	
As provided in Section 34-32-19, Code of Alabama 1975, as amended.			
(3) Transfer from Agricultural and Conservation Development Commission		20,000	
Total State Soil and Water Conservation Committee	1,129,681	23,000	1,152,681
102. SOUTHERN GROWTH POLICIES BOARD:			
(a) Special Services Progrm			27,830

SOURCE OF FUNDS:			
(1) State General Fund	27,830		
Total Southern Growth Policies Board	27,830		27,830
103. SPACE SCIENCE EXHIBIT COMMISSION, ALABAMA:			
(a) Tourism and Travel Promotion Program			95,000
SOURCE OF FUNDS:			
(1) State General Fund	95,000		
Total Alabama Space Science Exhibit Commission	95,000		95,000
104. SPEECH PATHOLOGY AND AUDIOLOGY, ALABAMA BOARD OF EXAMINERS FOR:			
(a) Professional and Occupational Licensing and Regulation Program			24,820
SOURCE OF FUNDS:			
(1) Alabama Board of Examiners for Speech Pathology and Audiology Fund		24,820	
As provided in Section 34-28A-44, Code of Alabama 1975.			
Total Alabama Board of Examiners for Speech Pathology and Audiology		24,820	24,820
105. SPORTS HALL OF FAME, ALABAMA:			
(a) Historical Resources Management Program			136,850
SOURCE OF FUNDS:			
(1) State General Fund	136,850		
Total Alabama Sports Hall of Fame	136,850		136,850
106. SURFACE MINING COMMISSION, ALABAMA:			
(a) Industrial Safety and Accident Prevention Program			3,606,277
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	200,000		
(2) Surface Mining Commission Fund		3,406,277	
As provided by Section 9-16-103, Code of Alabama 1975, as amended. All fees and charges, grants, gifts, fines, bond forfeitures or other monies received under the above act, in addition to the appropriation herein			

made, are appropriated to the Surface Mining Commission.			
Total Alabama Surface Mining Commission	200,000	3,406,277	3,606,277
107. TANNEHILL FURNACE AND FOUNDRY COMMISSION:			
(a) Historical Resources Management Program			221,531
(b) Capital Outlay			25,000
SOURCE OF FUNDS:			
(1) State General Fund	221,531		
(2) State General Fund-Capital Outlay	25,000		
Total Tannehill Furnace and Foundry Commission	246,531		246,531
108. TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY:			
(a) Water Resource Development Program			105,000
SOURCE OF FUNDS:			
(1) State General Fund	105,000		
Total Tennessee-Tombigbee Waterway Development Authority	105,000		105,000
109. TENNESSEE VALLEY EXHIBIT COMMISSION OF ALABAMA:			
(a) Promotional Development Program			68,044
To be expended in accordance with Sections 41-9-780 et seq., Code of Alabama 1975, as amended.			
SOURCE OF FUNDS:			
(1) State General Fund	68,044		
Total Tennessee Valley Exhibit Commission of Alabama	68,044		68,044
110. TOURISM AND TRAVEL, BUREAU OF:			
(a) Tourism and Travel Promotion Program			4,546,638
(b) Grants and Benefits Program			565,000
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	1,411,638		
(2) Lodgings Tax ($0.01)		3,700,000	

Receipts collected under the provisions of Section 40-26-1 et seq., Code of Alabama 1975, as amended.			
Total Bureau of Tourism and Travel	1,411,638	3,700,000	5,111,638
111. TREASURER, STATE:			
(a) Fiscal Management Program			1,514,722
SOURCE OF FUNDS:			
(1) State General Fund	1,448,353		
(2) State General Fund-State House Rent	96,369		
Total State Treasurer	1,544,722		1,544,722
112. UNIFORM STATE LAWS, ALABAMA COMMISSION ON:			
(a) Special Services Program, Estimated			4,536
SOURCE OF FUNDS:			
(1) State General Fund	4,536		
As provided in Section 41-9-374, Code of Alabama 1975.			
Total Alabama Commission on Uniform State Laws	4,536		4,536
113. VETERANS' AFFAIRS, DEPARTMENT OF:			
(a) Administration of Veterans' Affairs Program			2,689,403
SOURCE OF FUNDS:			
(1) State General Fund	2,689,403		
Total Department of Veterans' Affairs	2,689,403		2,689,403
114. VETERINARY MEDICAL EXAMINERS, ALABAMA STATE BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			145,000
SOURCE OF FUNDS:			
(1) State Board of Veterinary Medical Examiners Fund		145,000	
As provided in Section 34-29-23 and Section 34-29-41, Code of Alabama 1975, as amended.			
Total Alabama State Board of Veterinary Medical Examiners		145,000	145,000
115. WOMEN'S COMMISSION, ALABAMA:			
(a) Employment and Social Opportunities Program			9,980

SOURCE OF FUNDS:		
(1) State General Fund	9,980	
Total Alabama Women's Commission	9,980	9,980
116. WOMEN'S HALL OF FAME, ALABAMA:		
(a) Historical Resources Management Program		5,444
SOURCE OF FUNDS:		
(1) State General Fund	5,444	
Total Alabama Women's Hall of Fame	5,444	5,444
2D. OTHER FUNCTIONS OF GOVERNMENT FUNDED FROM THE STATE GENERAL FUND:		
1. ADVERTISING LANDS FOR TAX SALE:		
(a) State Revenue Administration Program, Estimated		60,000
SOURCE OF FUNDS:		
(1) State General Fund	60,000	
As provided in Section 40-10-22 Code of Alabama 1975.		
Total Advertising Lands for Tax Sale	60,000	60,000
2. ARREST OF ABSCONDING FELONS:		
(a) Criminal Investigation Program, Estimated		65,000
SOURCE OF FUNDS:		
(1) State General Fund	65,000	
As provided in Section 15-9-3, Code of Alabama 1975.		
Total Arrest of Absconding Felons	65,000	65,000
3. ATTORNEYS' FEES FOR RE-APPORTIONMENT CASES:		
(a) Legal Advice and Legal Services Program, Estimated		50,000
SOURCE OF FUNDS:		
(1) State General Fund	50,000	

Total Attorneys' Fees for Reapportionment Cases	50,000	50,000
4. AUTOMATIC APPEAL EXPENSE:		
(a) Legal Advice and Legal Services Program, Estimated		100
SOURCE OF FUNDS:		
(1) State General Fund	100	
As provided in Section 12-22-150 and Section 12-22-241, Code of Alabama 1975.		
Total Automatic Appeal Expense	100	100
5. CIVIL COURT COSTS IN CONNECTION WITH AD VALOREM TAX ASSESSMENTS APPEALS:		
(a) State Revenue Administration Program, Estimated		200
SOURCE OF FUNDS:		
(1) State General Fund	200	
As provided in Section 40-7-45, Code of Alabama 1975.		
Total Civil Court Costs in Connection with Ad Valorem Tax Assessments Appeals	200	200
6. CONSUMER UTILITY RATE HEARING:		
(a) Executive Direction Program		250,000
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	250,000	
As provided in Section 37-1-18 Code of Alabama 1975, as amended.		
Total Consumer Utility Rate Hearing	250,000	250,000
7. COURT COSTS NOT OTHERWISE PROVIDED FOR:		
(a) Court-Assessed Costs Provided by Law for Which No Other Appropriations are Made-Special Services Program, Estimated		800,000
It is the intent of the Legislature that the above appropriation be expended only for costs assessed by state and federal courts and specifically excludes any attorney fees, court judgments or out-of-court settlements except those provided in Code of Alabama 1975, Section 22-52-14.		

(b) Court-Assessed Attorney Fees in Cases Where the State is a Defendant-Legal Advice and Legal Services Program		200,000
It is the intent of the Legislature that the above appropriation be released only at the direction of the Governor for statewide court cases.		
SOURCE OF FUNDS:		
(1) State General Fund, Estimated	800,000	
(2) State General Fund	200,000	
Total Court-Assessed Costs Not Otherwise Provided For	1,000,000	1,000,000
8. COURT COSTS-ACT NO. 558, 1957:		
(a) Court Operations Program, Estimated		500
SOURCE OF FUNDS:		
(1) State General Fund	500	
Pursuant to Act No. 558, 1957, page 777.		
Total Court Costs-Act No. 558, 1957	500	500
9. DISTRIBUTION OF PUBLIC DOCUMENTS:		
(a) Administrative Support Services Program, Estimated		80,000
SOURCE OF FUNDS:		
(1) State General Fund	80,000	
As provided in Sections 41-21-8 and 36-14-11, Code of Alabama 1975.		
Total Distribution of Public Documents	80,000	80,000
10. STATE DOCKS TRANSFER		3,500,000
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	3,500,000	
The above appropriation to the State Docks shall be conditional upon the availability of funds and shall remain in the State General Fund until a demonstrated need is determined and recommended by the Finance Director and approved by the Governor.		
Total State Docks Transfer	3,500,000	3,500,000
11. ELECTION EXPENSES:		
(a) Special Services Program, Estimated		2,000,000
SOURCE OF FUNDS:		
(1) State General Fund	2,000,000	

As provided in Section 17-4-153, Code of Alabama 1975.		
Total Election Expenses	2,000,000	2,000,000
12. EMERGENCY FUND, DEPARTMENTAL:		
(a) Special Services Program		2,000,000
SOURCE OF FUNDS:		
(1) State General Fund	2,000,000	
This is the appropriation contemplated in Section 41-4-94, Code of Alabama 1975, and shall be the only amount appropriated and the total amount expended under the provisions of said section. This appropriation shall be expended solely for the purpose of addressing a financial emergency within a state department, board, commission, bureau, office, or agency. None of the above appropriation may be transferred to the Governor's Contingency Fund.		
Total Departmental Emergency Fund	2,000,000	2,000,000
13. FEEDING OF PRISONERS:		
(a) Institutional Services, Corrections Program, Estimated		3,000,000
SOURCE OF FUNDS:		
(1) State General Fund	3,000,000	
For expenses of feeding prisoners in county jails in accordance with Section 14-6-42, Code of Alabama 1975.		
Total Feeding of Prisoners	3,000,000	3,000,000
14. DEPARTMENT OF FINANCE-EMPLOYEES' SUGGESTION AWARDS PROGRAM:		
(a) Fiscal Management Program		10,000
SOURCE OF FUNDS:		
(1) State General Fund	10,000	
In accordance with Section 36-1-7, Code of Alabama 1975, as amended.		
Total Department of Finance-Employees' Suggestion Awards Program	10,000	10,000
15. DEPARTMENT OF FINANCE-FEMA:		
(a) Readiness and Recovery Program, Estimated		1,866,090
Payments of the State's share of administrative costs and matching		

grants furnished by the Federal Emergency Management Agency.			
SOURCE OF FUNDS:			
(1) State General Fund	1,866,090		
Total Department of Finance-FEMA	1,866,090		1,866,090
16. DEPARTMENT OF FINANCE:			
A. Data Systems Management and Telephone Revolving Fund			
(a) Administrative Support Services Program			31,524,870
SOURCE OF FUNDS:			
(1) State General Fund	424,370		
(2) State General Fund-Transfer	2,400,000		
(3) ASETF-Transfer		6,700,000	
(4) Collections from Other State Agencies-Data Systems		13,996,000	
(5) Collections From Other State Agencies-Telephone Revolving Fund		8,004,500	
Total Data Systems Management and Telephone Revolving Fund	2,824,370	28,700,500	31,524,870
In addition to the above appropriation to Data Systems Management and Telephone Revolving Fund, there is hereby appropriated $7,004,000 from Collections from Other State Agencies-Data Systems and $1,995,500 from Collections from Other State Agencies-Telephone Revolving Fund to be conditioned upon the availability of funds and the approval of the Governor.			
B. Alabama Building Finance Authority			
(a) Administrative Support Services Program			1,031,985
SOURCE OF FUNDS:			
(1) Alabama Building Finance Authority Operating Fund		1,031,985	
Total Alabama Building Finance Authority		1,031,985	1,031,985
In addition to the above appropriation to the Alabama Building Finance Authority, there is hereby appropriated $1,068,015 to be conditioned upon the availability of funds to the			

Alabama Building Finance Authority and the approval of the Governor.		
C. Capitol Complex Maintenance and Repair		
(a) Administrative Support Services Program		3,005,799
SOURCE OF FUNDS:		
(1) Capitol Complex Revolving Fund	3,005,799	
Total Capitol Complex Maintenance and Repair	3,005,799	3,005,799
In addition to the above appropriation to the Capitol Complex Maintenance and Repair, there is hereby appropriated $2,294,201 to be conditioned upon the availability of funds to the Capitol Complex Maintenance and Repair Fund and the approval of the Governor.		
D. Alabama Building Authority		
(a) Administrative Support Services Program		1,053,941
SOURCE OF FUNDS:		
(1) Alabama Building Authority Operating Fund	1,053,941	
Total Alabama Building Authority	1,053,941	1,053,941
In addition to the above appropriation to the Alabama Building Authority, there is hereby appropriated $846,059 to be conditioned upon the availability of funds to the Alabama Building Authority Fund and the approval of the Governor.		
E. Mail and Supply Room		
(a) Administrative Support Services Program		4,195,944
SOURCE OF FUNDS:		
(1) State Agencies-Invoiced for Postage, Supplies and Operational Expenses	4,195,944	
Total Mail and Supply Room	4,195,944	4,195,944
In addition to the above appropriation to the Mail and Supply Room, there is hereby appropriated $1,104,056 to be conditioned upon the availability of funds to the Mail and Supply Room Fund and the approval of the Governor.		

F. Motor Pool			
(a) Administrative Services Program			1,811,214
SOURCE OF FUNDS:			
(1) Motor Pool Revolving Fund		1,811,214	
Total Motor Pool		1,811,214	1,811,214
In addition to the above appropriation to the Motor Pool, there is hereby appropriated $2,188,786 to be conditioned upon the availability of funds to the Motor Pool Revolving Fund and the approval of the Governor.			
G. Printing and Publications			
(a) Administrative Support Services Program			4,559,024
SOURCE OF FUNDS:			
(1) State Agencies (Accounts Receivable Billings)		4,559,024	
Total Printing and Publications		4,559,024	4,559,024
In addition to the above appropriation to Printing and Publications, there is hereby appropriated $1,340,976 to be conditioned upon the availability of funds to the Printing and Publications' Fund and the approval of the Governor.			
The above appropriations to the Department of Finance-A. Data Systems Management and Telephone Revolving Fund; B. Alabama Building Finance Authority; C. Capitol Complex Maintenance and Repair; D. Alabama Building Authority; E. Mail and Supply Room; F. Motor Pool; and G. Printing and Publications are to be in lieu of any appropriations heretofore made in other sections of the Alabama Statutes and shall be the maximum amount to be expended for said functions.			
17. FOREST FIRE FUND, EMERGENCY:			
(a) Forest Recources Protection Program			180,000
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	180,000		
As provided by Section 9-3-10.0, Code of Alabama 1975.			

Total Emergency Forest Fire Fund	180,000	180,000
18. GOVERNOR'S CONFERENCE, NATIONAL:		
(a) Executive Direction Program		101,800
SOURCE OF FUNDS:		
(1) State General Fund	101,800	
Total National Governor's Conference	101,800	101,800
19. GOVERNOR'S COUNCILLOR:		
(a) Executive Direction Program, Estimated		26,000
SOURCE OF FUNDS:		
(1) State General Fund	26,000	
As provided in Section 36-13-13, Code of Alabama 1975 as amended.		
Total Governor's Councillor	26,000	26,000
20. GOVERNOR'S PROCLAMATION EXPENSES:		
(a) Executive Direction Program, Estimated		250,000
SOURCE OF FUNDS:		
(1) State General Fund	250,000	
As provided in Section 17-14-21, Code of Alabama 1975.		
Total Governor's Proclamation Expenses	250,000	250,000
21. GOVERNORS' WIDOWS RETIREMENT:		
(a) Executive Direction Program, Estimated		14,400
SOURCE OF FUNDS:		
(1) State General Fund	14,400	
As provided in Section 36-13-12, Code of Alabama 1975.		
Total Governors' Widows Retirement	14,400	14,400
22. INTERPRETER'S ACCOUNT:		
(a) Court Operations Program, Estimated		2,500
SOURCE OF FUNDS:		
(1) State General Fund	2,500	

As provided in Sections 12-21-131 et seq., Code of Alabama 1975.		
Total Interpreter's Account	2,500	2,500
23. LAW ENFORCEMENT FUND:		
(a) Criminal Investigation Program		2,500
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	2,500	
As provided in Section 28-4-312, Code of Alabama 1975.		
Total Law Enforcement Fund	2,500	2,500
24. LAW ENFORCEMENT LEGAL DEFENSE:		
(a) Legal Advice and Legal Services Program, Estimated		3,000
SOURCE OF FUNDS:		
(1) State General Fund	3,000	
To carry out provisions of Section 36-21-1, Code of Alabama 1975.		
Total Law Enforcement Legal Defense	3,000	3,000
25. LIABILITY INSURANCE FUND, STATE		1,000,000
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	1,000,000	
As provided in Section 36-1-6.1, Code of Alabama 1975.		
Total State Liability Insurance Fund	1,000,000	1,000,000
Of the above appropriation $40,000 is hereby appropriated to the Liability Insurance Board for administrative expenses.		
26. MAILING TAX NOTICES:		
(a) State Revenue Administration Program, Estimated		100
SOURCE OF FUNDS:		
(1) State General Fund	100	
As provided in Section 40-7-25, Code of Alabama 1975.		
Total Mailing Tax Notices	100	100
27. MILITARY-EMERGENCY ACTIVE DUTY PAY:		
(a) Military Operations Program, Estimated		200,000
SOURCE OF FUNDS:		
(1) State General Fund	200,000	

As provided in Section 31-2-85, Code of Alabama 1975.		
Total Military-Emergency Active Duty Pay	200,000	200,000
28. POLICEMAN'S SURVIVOR TUITION ACT:		
(a) Support of Other Educational Activities Program, Estimated		5,000
SOURCE OF FUNDS:		
(1) State General Fund	5,000	
As provided in Sections 36-21-95 through 36-21-99, Code of Alabama 1975.		
Total Policeman's Survivor Tuition Act	5,000	5,000
29. PRESIDENTIAL ELECTORAL EXPENSE:		
(a) Administrative Support Services Program, Estimated		2,000
SOURCE OF FUNDS:		
(1) State General Fund	2,000	
As provided in Section 17-19-8, Code of Alabama 1975.		
Total Presidential Electoral Expense	2,000	2,000
30. PRINTING OF CODE SUPPLEMENTS-LEGISLATIVE REFERENCE SERVICE:		
(a) Legislative Operations and Support Program, Estimated		500,000
SOURCE OF FUNDS:		
(1) State General Fund	500,000	
As provided in Section 29-7-6, Code of Alabama 1975.		
Total Printing of Code Supplements-Legislative Reference Service	500,000	500,000
31. PRINTING CODES AND SUPPLEMENTS-SECRETARY OF STATE:		
(a) Administrative Support Services Program, Estimated		165,000
SOURCE OF FUNDS:		
(1) State General Fund	165,000	
As provided in Sections 41-21-1 and 41-21-154, Code of Alabama 1975.		

Total Printing Codes and Supplements-Secretary of State	165,000		165,000
32. PRINTING OF LEGISLATIVE ACTS AND JOURNALS:			
(a) Administrative Support Services Program, Estimated			500,000
SOURCE OF FUNDS:			
(1) State General Fund	500,000		
As provided in Sections 41-4-130 through 41-4-161, Code of Alabama 1975.			
Total Printing of Legislative Acts and Journals	500,000		500,000
33. PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES:			
(a) State Revenue Administration Program, Estimated			25,000
SOURCE OF FUNDS:			
(1) State General Fund	25,000		
Total Printing of State and County Privilege Licenses	25,000		25,000
34. REGISTRATION OF VOTERS:			
(a) Special Services Program, Estimated			1,000,000
SOURCE OF FUNDS:			
(1) State General Fund	1,000,000		
In accordance with Sections 17-4-126 and 17-4-153, Code of Alabama 1975, as amended.			
Total Registration of Voters	1,000,000		1,000,000
35. REMOVAL OF PRISONERS:			
(a) Administrative Services and Logistical Support Program, Estimated			300,000
SOURCE OF FUNDS:			
(1) State General Fund	300,000		
As provided in Sections 14-6-7 through 14-6-10 and 36-22-22, Code of Alabama 1975.			
Total Removal of Prisoners	300,000		300,000
36. STATE GENERAL FUND, ESTIMATED			56,600,000
SOURCE OF FUNDS:			
(1) Heritage Trust Income Fund Transfer, Estimated		56,600,000	

All income other than income realized on sale of Trust Fund assets and not otherwise appropriated herein.			
Total State General Fund, Estimated		56,600,000	56,600,000
37. STATE TREASURER-PREVIOUS YEAR'S UNPAID WARRANTS:			
(a) Special Services Program, Estimated			200,000
SOURCE OF FUNDS:			
(1) State General Fund	200,000		
As provided in Section 41-4-60, Code of Alabama 1975.			
Total State Treasurer-Previous Year's Unpaid Warrants	200,000		200,000
38. REPAYMENT-ACT 86-645, AS AMENDED, FUND NO. 305735			8,000,000
SOURCE OF FUNDS:			
(1) State General Fund	8,000,000		
Total Repayment-Act 86-645, As Amended, Fund No. 305735	8,000,000		8,000,000
2E. DEBT SERVICE FUNDED FROM THE STATE GENERAL FUND:			
1. General Obligation Capital Improvement Bonds, Series B, Estimated			956,500
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	956,500		
Total General Obligation Capital Improvement Bonds, Series B, Estimated	956,500		956,500
2. General Obligation Coosa Waterway Bonds, Series A and B, Estimated			1,020,020
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	1,020,020		
Total General Obligation Coosa Waterway Bonds, Series A and B, Estimated	1,020,020		1,020,020
3. General Obligation Docks Facilities Bonds, Series A-C, Estimated			4,361,250
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	4,361,250		

Total General Obligation Docks Facilities Bonds, Series A-C, Estimated	4,361,250	4,361,250
4. Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated		3,539,460
SOURCE OF FUNDS:		
(1) State General Fund-Transfer, Estimated	3,539,460	
Pursuant to Constitutional Amendment No. 270 as provided in Act No. 248, 1967 Regular Session.		
Total Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated	3,539,460	3,539,460
5. Corrections Institution Bonds, Estimated		1,889,500
SOURCE OF FUNDS:		
(1) State General Fund-Transfer, Estimated	1,889,500	
Pursuant to Constitutional Amendment No. 374 as provided for in Act No. 134, 1978 Second Special Session.		
Total Corrections Institution Bonds, Estimated	1,889,500	1,889,500
6. General Obligation Capital Bonds, 1982, Series A and B, and General Obligation Refunding Bonds, 1983, Series A and B, Estimated		66,656,522
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	66,656,522	
Total General Obligation Capital Bonds, 1982, Series A and B, and General Obligation Refunding Bonds, 1983, Series A and B, Estimated	66,656,522	66,656,522
2F. ADDITIONAL APPROPRIATIONS:		
1. ACADEMY OF HONOR, ALABAMA:		
(a) Historical Resources Management Program		1,013

SOURCE OF FUNDS:		
(1) ASETF-Transfer	1,013	
Total Alabama Academy of Honor	1,013	1,013
2. ARTS AND HUMANITIES, ALABAMA STATE COUNCIL ON THE:		
(a) Fine Arts Program		1,854,020
SOURCE OF FUNDS:		
(1) ASETF-Transfer	1,319,020	
(2) Federal and Local Funds	535,000	
Total Alabama State Council on the Arts and Humanities	1,854,020	1,854,020
3. BUILDING COMMISSION, STATE:		
(a) Special Services Program		450,000
SOURCE OF FUNDS:		
(1) ASETF-Transfer	450,000	
Total State Building Commission	450,000	450,000
4. DEPARTMENT OF EDUCATION:		
(a) Direct Client Services for the Handicapped		49,235,546
The ASETF monies included in the above program are to be distributed by the Department of Education as follows:		
Crippled Children Services Program 5,220,313		
Hemophilia Program 296,520		
Homebound Program 4,000,000		
Rehabilitation Services Program 7,073,843		
Of the above appropriation to Rehabilitation Services Program, $250,000 shall be used for the Deaf Support Service Program.		
SOURCE OF FUNDS:		
(1) ASETF	16,590,676	
(2) Federal and Local Funds	32,644,870	
Total Direct Client Services for the Handicapped	49,235,546	49,235,546
(b) Projects-Vocational Rehabilitation/Crippled Children Services Program		1,300,624
The ASETF monies included in the above program are to be distributed		

by the Department of Education as follows:		
Eye Injury Register 19,380		
SOURCE OF FUNDS:		
(1) ASETF	19,380	
(2) Federal and Local Funds	1,281,244	
Total Projects-Vocational Rehabilitation/Crippled Children Services Program	1,300,624	1,300,624
(c) Disability Determination for Social Security Program		20,654,654
SOURCE OF FUNDS:		
(1) Federal and Local Funds	20,654,654	
Total Disability Determination for Social Security Program	20,654,654	20,654,654
GRAND TOTAL-DEPARTMENT OF EDUCATION	71,190,824	71,190,824
5. EXAMINERS OF PUBLIC ACCOUNTS:		
(a) Legislative Support-Audit Services Program		4,037,924
For purposes of auditing all phases of public education.		
SOURCE OF FUNDS:		
(1) ASETF-Transfer	4,037,924	
Total Examiner of Public Accounts	4,037,924	4,037,924
6. FIREFIGHTERS' PERSONNEL STANDARDS AND EDUCATION COMMISSION, ALABAMA:		
(a) Professional and Occupational Licensing and Regulation Program		149,229
SOURCE OF FUNDS:		
(1) ASETF-Transfer	149,229	
Total Alabama Firefighters' Personnel Standards and Education Commission	149,229	149,229
7. LAW INSTITUTE, ALABAMA:		
(a) Support of Other Educational Activities Program		293,622
SOURCE OF FUNDS:		
(1) ASETF	293,622	
Total Alabama Law Institute	293,622	293,622
8. LEGISLATURE:		
(a) Legislative Operations and Support Program		4,510,000

SOURCE OF FUNDS:		
(1) ASETF-Transfer	4,510,000	
Total Legislature	4,510,000	4,510,000
The above appropriation shall be expended under the provisions set forth in Code of Alabama 1975, as amended, Section 29-1-22.		
9. LIBRARY SERVICE, ALABAMA PUBLIC:		
(a) Public Library Service Program		6,668,211
Of the above appropriation, a total of $10,000 is hereby appropriated for the purchase of TTY/TDD equipment for the hearing impaired. Said appropriation shall be distributed by the Alabama Public Library Service Board based on need to those regional libraries submitting project applications for said equipment.		
SOURCE OF FUNDS:		
(1) ASETF	5,186,765	
(2) Federal and Local Funds	1,481,446	
Total Alabama Public Library Service	6,668,211	6,668,211
10. NURSING, ALABAMA BOARD OF:		
(a) Professional and Occupational Licensing and Regulation Program		1,016,304
SOURCE OF FUNDS:		
(1) ASETF-Transfer-as provided in Code of Alabama 1975, as amended, Sections 34-21-60 through 34-21-63	57,000	
(2) Alabama Board of Nursing Trust Fund-as provided in Code of Alabama 1975, as amended, Sections 34-21-1 through 34-21-43	959,304	
Total Alabama Board of Nursing	1,016,304	1,016,304
11. PHYSICAL FITNESS, COMMISSION ON:		
(a) Advisory Services Program		219,955
SOURCE OF FUNDS:		
(1) ASETF	219,866	

(2) Federal and Local Funds	89	
Total Commission on Physical Fitness	219,955	219,955
12. SPACE SCIENCE EXHIBIT COMMISSION:		
(a) Special Services Program		300,000
SOURCE OF FUNDS:		
(1) ASETF	300,000	
Total Space Science Exhibit Commission	300,000	300,000
13. DEPARTMENT OF YOUTH SERVICES:		
(a) Youth Services Program		12,708,060
The above appropriation for Youth Services Program includes $11,578,942 of ASETF monies. Of the above appropriation, $200,000 shall be used for pilot programs in day treatment. The above appropriation shlal be expended in accordance with the provisions of the Code of Alabama 1975, as amended, Sections 44-1-1 through 44-1-56.		
(b) Capital Outlay		300,000
(c) Southeast Alabama Youth Services System (Dothan)-Capital Outlay		200,000
SOURCE OF FUNDS:		
(1) ASETF	12,078,942	
(2) Federal and Local Funds	1,129,118	
Total Department of Youth Services	13,208,060	13,208,060
14. SMALL BUSINESS DEVELOPMENT CONSORTIUM, ALABAMA:		
(a) Operations and Maintenance	1,512,201	1,512,201
(b) Small Business Procurement System	90,000	90,000
SOURCE OF FUNDS:		
(1) ASETF	503,701	
(2) Federal and Local Funds	1,098,500	
Total Alabama Small Business Development Consortium	1,602,201	1,602,201
15. HEALTH, DEPARTMENT OF PUBLIC:		
(a) Health Support Services Program		2,515,469
Of the above appropriation, $302,130 shall be expended for the continuation of the programs in Public School Food Sanitation.		

(b) Personal Health Improvement Program		4,024,920
Of the above appropriation, $2,024,920 shall be expended for continuation of the programs for immunization of pre-school children and students, dental health and nursing services.		
Of the above appropriation, $2,000,000 shall be expended for the continuation of a perinatal program whose expenditure guidelines shall be developed in conjunction with the Perinatal Advisory Committee of the State Committee on Public Health. Such guidelines shall be comprehensive enough to serve as a statewide perinatal plan in meeting federal matching requirements.		
(c) Administrative Services Program		699,863
The above appropriation shall be expended for the continuation of the program in Primary Preventive Health Education.		
SOURCE OF FUNDS:		
(1) ASETF-Transfer	7,240,252	
Total Department of Public Health	7,240,252	7,240,252
16. ECONOMIC AND COMMUNITY AFFAIRS, ALABAMA DEPARTMENT OF:		
(a) Grants and Benefits Program		1,204,296
SOURCE OF FUNDS:		
(1) ASETF-Transfer	1,204,296	
Total Alabama Department of Economic and Community Affairs	1,204,296	1,204,296
17. MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF:		
(a) Grants and Benefits Program		6,783
SOURCE OF FUNDS:		
(1) ASETF-Transfer	6,783	
Total Department of Mental Health and Mental Retardation	6,783	6,783
18. PROSECUTION SERVICES, OFFICE OF:		
(a) Grants and Benefits Program		152,327

SOURCE OF FUNDS:		
(1) ASETF-Transfer	152,327	
Total Office of Prosecution Services ...	152,327	152,327

SECTION 3. That, except as may be herein otherwise provided, amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except as may be provided for under Sections 5 and 6 of this bill, as provided in the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975, and those appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Sections 41-4-80 et seq., Code of Alabama 1975, as amended, and the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975.

SECTION 4. That any surplus remaining in any appropriation herein made from the State General Fund to any office, department, bureau, board, commission or agency may be transferred, on order of the Governor, to any other appropriation herein made from the State General Fund when such appropriation to any office, department, bureau, board, commission, or agency is insufficient to pay salaries in that office, department, bureau, board, commission or agency.

SECTION 5. In addition to appropriations herein made, all gifts, grants, contributions, entitlements, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made. Notwithstanding any laws to the contrary, any receipts during FY 1987-88 which exceed an amount of up to 1% of such FY state revenue receipts or up to $100,000, whichever is greater, to any state fund or from any state revenue source that exceed the amount appropriated by this Act to any state fund, department, agency, division, board, bureau, commission, institution, or office with the exception of revenue to the Real Estate Commission; the Board of Cosmetology; the Department of Finance-A. Data Systems Management and Telephone Revolving Fund; B. Alabama Building Finance Authority; C. Capitol Complex Maintenance and Repair; D. Alabama Building Authority; E. Mail and Supply Room; F. Motor Pool; and G. Printing and Publications; and funds constitutionally earmarked for construction and maintenance of public roads and bridges shall be transferred to the State General Fund within thirty (30) days after September 30, 1988. Further, all state, county, municipal and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama 1975.

SECTION 6. Under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, any interest earned by the State thereon, together with any accruals or reversions accruing from Revenue Sharing Investments are hereby appropriated to the State General Fund.

SECTION 7. All encumbered balances of a previous fiscal year appropriation other than the exclusions authorized in Section 41-4-93, Code of Alabama 1975, shall lapse on September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the State General Fund or the trust fund from which the appropriation or appropriations were made.

SECTION 8. The appropriations made herein to the departments, boards, offices, commissions, and agencies include the amount necessary and said departments, boards, offices, commissions, and agencies are hereby directed to make the transfer of funds to the State Personnel Department in the amounts enumerated in Section 2C, Subsection 88.

SECTION 9. That, if any section, paragraph, sentence, clause, provision, or portion of this Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

SECTION 10. That all laws and parts of laws, general, special, private, or local in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

SECTION 11. That each Department of the State funded through the provisions of this budget shall provide an equal opportunity for employment and business opportunities for all citizens of this state without regard to sex or race.

SECTION 12. That this Act shall become effective October 1, 1987.

REPORT OF COMMITTEE ON CONFERENCE ADOPTED

On motion of Rep. Harper, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 270, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 96; Nays 3.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Slaughter, Spratt, Starkey, Thomas, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—96

Nays: Reps. Harvey, Holmes and Turner. —3

And the bill, H. 270 as amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 100; Nays 2.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—100

Nays: Reps. Holmes and Turner. —2

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 132. To amend Sections 40-23-4 and 40-23-62, Code of Alabama 1975, relating to exemptions from sales and use taxes, so as to provide further for the exemption of the sale of fuel and supplies for certain vessels; the materials, equipment, and machinery which become a component part of vessels; and certain equipment used in offshore federal waters.

Also:

H. 842. To amend Section 11-3-11(a)(15) of Code of Alabama 1975 in order to authorize and empower the County Commission of any County to require property owners to connect with a sanitary sewer system operated by said County any facilities for the collection or disposal of sewage; to charge the owners of affected property for the costs of such connection; and to create a lien against such affected property for the enforcement of the payment of such costs.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to wit:

H. 13. To amend Sections 32-8-2 and 32-8-87 of the Uniform Certificate of Title and Antitheft Act so as to define the terms "scrap metal processor" and "scrap vehicle," to provide further for the persons who must mail certain certificates to the Department of Revenue when a vehicle is scrapped, dismantled, destroyed or changed, to alter the time period when certain

documents must be delivered to the Department of Revenue; to remove the requirement that the vehicle's identification number plates and license plate(s) must be returned to the Department of Revenue in certain instances when the vehicle is changed or is damaged to a certain extent or when total loss or salvage has occurred or total loss due to theft of the vehicle has occurred; to remove the requirement that the title of a rebuilt motor vehicle must be stamped rebuilt in certain instances; to reduce the criminal penalty imposed against certain persons for possessing a motor vehicle which is junk or salvage or a total loss when certain identification has been removed; to reduce the criminal penalty imposed against any person who shall authorize, direct, aid in or consent to the possession, sale or exchange or offer to sell, exchange or give away certain certificates or forms of identification of a motor vehicle which has been scrapped, dismantled or sold as junk or salvage or as a total loss; and to remove owners of scrap metal processing plants from the provision providing that it shall be unlawful for certain owners to have in their possession any motor vehicle which is junk, salvage or a total loss when certain identification has been removed.

Also:

H. 903. Relating to the office of state treasurer, to authorize the treasurer to hire one additional employee, not subject to the state merit system, who shall serve at the pleasure of the treasurer; to provide the benefits, rights and privileges of other state employees to the said additional employee; and to authorize the treasurer to set the salary of the additional employee at an amount not to exceed the maximum payable to assistant department heads in the executive branch of government.

Also:

H. 973. Relating to health care authorities organized or reincorporated pursuant to the provisions of Act No. 82-418 enacted at the 1982 Regular Session of the Legislature (article 11 of chapter 21 of Title 22 of the Code of Alabama 1975, as amended); to make certain findings with respect to such health care authorities; to grant to any such health care authority the limited power to amend its certificate of incorporation or certificate of reincorporation (without the necessity of any approvals or consents, other than that of its board of directors, that would otherwise be required) so as to provide that any of the members of its board of directors required to be elected or appointed by the governing body of any county or municipality that authorized the organization or reincorporation of such health care authority shall be elected only from a list of nominees (not less than three in number) proposed by its board of directors; to grant to any such health care authority the additional power to issue (and provide security for) bonds, notes, and other obligations and securities that are not limited as to source of payment and that are general obligations of such health care authority; to make further provision with respect to the furnishing by a health care authority of office space to nonhospital-based physicians, dentists or other health care professionals; and to provide further for investments of proceeds from the sale of securities and other moneys of a health care authority.

Also:

H. 1034. To make a supplemental appropriation of $68,500 from the Alabama Credit Union Administration Fund to the Alabama Credit Union Administration for the fiscal year ending September 30, 1987.

Also:

H. 1042. To amend Section 6 of Act No. 350, S. 434, 1971 Regular Session of the Legislature (Acts 1971, p. 642), relating to planning commissions in certain cities classified on a population basis (the City of Montgomery in Montgomery County), so as to provide further for certain procedures relating to the meetings of such commissions.

Also:

H. 989. Relating to Tallapoosa County; to authorize the Tallapoosa County Commission to impose excise taxes on persons, corporations, partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county; to provide for the collection and payment of such taxes and to provide the distribution and the use of the funds derived therefrom; to authorize the Tallapoosa County Commission to make reasonable rules and regulations for the collection of such taxes; to provide the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Tallapoosa County Commission for the collection of said taxes; and to provide that the tax shall expire on December 31, 1988.

Also:

H. J. R. 521. NAMING THE NEW "SUPERCOMPUTER" BUILDING, NOW UNDER CONSTRUCTION AT THE UNIVERSITY OF ALABAMA IN HUNTSVILLE, IN HONOR OF GOVERNOR GEORGE C. WALLACE.

Also:

H. 635. To amend §40-12-262, Code of Alabama 1975, relating to trip permits; and to require cab cards of international registration plan vehicles be present in the vehicle; to provide for temporary trip permits; to provide penalties for violations of this section.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 322. To provide that a rural electric cooperative or a gas district may terminate or decline service if an applicant or customer, or a member

of the applicant's or customer's household, is indebted to such rural electric cooperative or gas district at the present location or a former location of the applicant or customer; to provide for certain exemptions; and to provide for continuance of service by special deposits pending resolution of disputes.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 345. Relating to Jefferson County; to amend further Section 3 of Act No. 248, H. 580, 1945 Regular Session (Acts 1945, p. 376), pertaining to Personnel Boards of certain counties classified on a population basis, so as to provide further for the compensation of board members and the chairman for attendance of meetings of the board and for attendance upon trials or hearings.

Also:

H. 434. To amend Section 4.04 of Act No. 452, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a mayor-council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, to provide the annual salary to be paid to the mayor of such city.

Also:

H. 441. To provide members of the governing body of Class I municipalities in Alabama and all municipalities in Alabama having a population of 250,000 or more according to the last or any subsequent federal decennial census with an expense allowance for attending business of the city within the municipal corporate limits, and to repeal all laws or parts of laws in conflict herewith.

Also:

H. 442. To amend Section 3.05 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, (Acts of 1955, p. 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census.

McDOWELL LEE,
Secretary.

BUDGET ISOLATION RESOLUTION TAKEN UP

Rep. Layson offered the motion to adopt the Budget Isolation Resolution relating to the bill, S. 203.

MOTION TO TEMPORARILY POSTPONE LOST

The motion offered by Rep. Holmes to temporarily postpone the Budget Isolation Resolution relating to the bill, S. 203, was lost.

Yeas 5; Nays 56.

Yeas: Reps. Bryant, Bugg, Grayson, Holmes and Rains. —5

Nays:

Mr. Speaker, Adams, Beasley, Blake, Blakeney, Box, Breedlove, Britnell, Carothers, Cosby, Crow, Curry, Dillard, Flowers, Frazier, Gaston, Grouby, Hamilton, Hammett, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Hooper, Johnson (RG), Johnson (RW), Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McKee, McMillan, Mikell, Newman, Penry, Petelos, Poole, Richardson, Slaughter, Starkey, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

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SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Layson, Budget Isolation Resolution relating to S. B. 203, was adopted.

Yeas 64; Nays 8.

Yeas:

Mr. Speaker, Adams, Beasley, Biddle, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Carothers, Carter, Cosby, Crow, Curry, Dillard, Drake, Flowers, Ford, Freeman, Gaston, Grouby, Hall, Hamilton, Hammett, Headley, Hettinger, Higginbotham, Hill, Hogan, Johnson (RG), Johnson (RW), Kennedy, Knight, Kvalheim, Layson, Logan, Marks, Mathis, McKee, McMillan, Mikell, Moon, Newman, Penry, Perdue, Petelos, Poole, Richardson, Slaughter, Spratt, Starkey, Thomas, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—64

Nays:

Reps. Bugg, Escott, Grayson, Holley, Holmes, Parker, Payne and Rains.

—8

And the bill:

S. 203. To establish the Timber Theft Equipment Condemnation law of the State of Alabama and to further set forth a procedure whereby vehicles and equipment used in connection with timber theft may be condemned by appropriate authorities and, after notice has been given to creditors having a secured interest, judgement, lien or other interest in such vehicles and equipment, the same may be sold or awarded by court order to the State Forester for use or resale in enforcement of felony theft laws of the State of Alabama wherein timber or lumber are the stolen items.

Was read a third time at length and passed.

Yeas 61; Nays 2.

Yeas:

Mr. Speaker, Adams, Biddle, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Carter, Cosby, Crow, Curry, Dillard, Drake, Flowers, Ford, Freeman,

Gaston, Grouby, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marietta, Marks, Mathis, McClain, McKee, McMillan, Mikell, Moon, Newman, Penry, Petelos, Poole, Richardson, Slaughter, Starkey, Turnham, Venable, Walker, Warren, White (F), White (L), Williams, Willis, Wright and Zoghby.

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Nays: Reps. Payne and Rains. —2

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 507. To amend Section 11-42-5, Code of Alabama 1975, which relates to the validation of certain prior Class 5 municipal annexations so as to bring forward the cut-off date of such prior annexations.

Also:

H. 902. To provide further for the compensation and expense allowances of the Secretary of State and State Auditor.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 988. Relating to Tallapoosa County, providing for the election of the County Board of Education and County Superintendent of Education; adopting single-member districts and repealing all conflicting laws.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 73. To provide further for the number of students in state funded academic classrooms in the public schools in Alabama.

said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To The Alabama Senate
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I transmit herewith to you a message from the Governor, returning Senate Bill No. 73, without the Governor's signature, but with the following suggested Executive Amendment.

Done this 24th day of July, 1987.

Respectfully submitted,

JOHN E. GRENIER,
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The Alabama Senate
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I am returning to you, the body in which it originated, Senate Bill No. 73, without my signature, but with the following suggested Executive Amendment.

EXECUTIVE AMENDMENT TO SENATE BILL NO. 73:

Amend Section 1(a) on page 1, line 14, by inserting after the number "1975," the following:

as amended,

Further amend Section 1(a) on page 1, line 21, by deleting the word county and inserting in lieu thereof the word counties.

Delete Section 2, on page 3, in its entirety and insert in lieu thereof the following:

Section 2. It is further provided that the additional teacher units earned under the provisions of Section 1 of this Act shall be allocated to each of the respective school systems for the employment of classroom teachers. No more than one in fifteen teacher units earned under the provisions of Section 1 of this Act shall be employed as support units. The county and city boards of education shall not reduce the number of teacher units employed from local funds as of the effective date of this Act. Local school systems shall not receive other current expenses, capital outlay and other support costs for any units earned under this Act unless the system employs the personnel earned pursuant to this Act. Each local board of education shall submit to the state superintendent of education, along with the annual budget, a written assurance that the funds provided pursuant to this Act shall be used in compliance with this Act. Each local board of education shall submit to the state superintendent of education, along with the financial statement, a signed affidavit certifying that the units earned under this Act were used for the employment of teacher and support units to reduce pupil-teacher

ratios. The state department of education shall monitor all local school systems to determine compliance with this Act. Failure of a local school system to comply during any given year shall result in the loss of the increase in state funds earned under this Act during that particular year.

Amend Section 4, on page 3, line 28, by inserting after the word "annually" and the period thereafter, the following:

By the first legislative day of each Regular Session of the Legislature, the Legislative Fiscal Office shall make an estimate of the receipts to the Alabama Special Educational Trust Fund pursuant to Section 29-5-7 of the Code of Alabama 1975, as amended, and the Executive Budget Office shall make an estimate of the receipts to the Alabama Special Educational Trust Fund pursuant to Section 41-4-85 of the Code of Alabama 1975, as amended. When it is confirmed by both the Legislative Fiscal Office and the Executive Budget Office that the new and continuing revenue into the Alabama Special Educational Trust Fund for the succeeding fiscal year is equal to or greater than thirty-seven million five hundred thousand dollars ($37,500,000), then the program under Section 1 of this Act shall be implemented. If either estimate for any fiscal year is less than thirty-seven million five hundred thousand dollars ($37,500,000), the average of the two estimates shall be determined and if that amount equals or exceeds thirty-seven million five hundred thousand dollars ($37,500,000), the program shall be implemented. However, if the average of the two estimates is less than thirty-seven million five hundred thousand dollars ($37,500,000), the program is automatically suspended for the succeeding fiscal year.

Delete Section 6, on page 4, in its entirety.

Further amend said Senate Bill No. 73 by renumbering the remaining section accordingly.

The adoption of the above suggested Executive Amendment will remove my objections to this Bill.

Done this 24th day of July, 1987.

Respectfully,

GUY HUNT,
Governor.

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, S. B. 73, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 27, Nays 0.

And said Bill, S. B. 73, together with the Executive amendment, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (RW), the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 73, said Executive amendment being set out in the above and foregoing Message from the Senate.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker, Adams, Biddle, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Hammett, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

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PERMISSION GRANTED

Permission was granted for the Journal to reflect that Rep. Turner would have voted "Yea" on the bill, S. 203, had he been in the Chamber at the time of voting.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 233. To make certain legislative findings, to define terms for the purposes of this act; to grant certain immunity from suit and civil liability for certain officers, directors, and trustees of governing bodies of not-for-profit corporations, associations or organizations which are exempt from federal income taxation under Section 501(c) of the Internal Revenue Code of 1954, as amended; not-for-profit corporations, associations or organizations which are organized pursuant to Sections 10-3A-2, 22-51-1, 22-51-2, 22-51-3, 22-51-4, 22-51-5, 22-51-6, 22-51-7, 22-51-8, 22-51-9, 22-51-10, 22-51-11, 22-51-12, 22-51-13, and 22-51-14 of the Code of Alabama 1975, self-insured funds established pursuant to Sections 11-26-1, 11-26-2 or 11-30-2, and trade associations organized under 25-5-9, Code of Alabama 1975; and boards, authorities or commissions the members of which are appointed by the governing body or bodies of any county or municipality, or by the Governor or other constitutional officers or members of the legislature, pursuant to legislative or constitutional authorization, or the members of which are constitutionally or legislatively delegated.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate, Senators: Amari, Cabaniss, and Manley.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Marietta, the House acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 233.

Yeas 75; Nays 1.

Yeas:

Mr. Speaker, Adams, Biddle, Black, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Butler, Carter, Clark (W), Cosby, Curry, Dillard, Escott, Faulk, Flowers, Ford, Freeman, Gaston, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Kennedy, Knight, Kvalheim, Laird, Layson, Logan, Marietta, Marks, Mathis, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Rogers, Seibels, Slaughter, Spratt, Starkey, Turner, Turnham, Venable, Warren, White (G), Willis, Wright and Zoghby.

—75

Nay: Rep. Grayson. —1

The Speaker appointed as a Committee on Conference on the part of the House Reps. Marietta, Hammett and Adams.

RULE SUSPENDED

On motion of Rep. Perdue, Rule 6(1) was suspended to accept the bill, H. 910 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 910. To amend Section 6 of Act No. 529 of the Legislature of Alabama of 1923, as codified in Title 62, Section 725, Code of Alabama 1940 (Recomp. 1958) to provide a salary for members of the Park and Recreation Board of the City of Birmingham who are not members of the governing body of the City of Birmingham.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Perdue, the House concurred in and adopted the Senate amendment to the bill, H. 910, said Senate amendment being as follows:

Amend House Bill 910 on Page 2, Line 11, by striking out the following: "one meeting", after the word, "than" and inserting in lieu thereof the following:

"two meetings"

Further amend said bill on Page 2, Line 16, by striking out the following: "one meeting", after the word, "than" and inserting in lieu thereof the following:

"two meetings"

Yeas 23; Nays 1.

Yeas:

Reps. Biddle, Brooks, Curry, Davis, Freeman, Gaston, Hall, Hettinger, Kennedy, Logan, McClain, McDowell, McMillan, Penry, Perdue, Petelos, Rogers, Seibels, Slaughter, Spratt, White (G), Wright and Zoghby.

—23

Nay: Rep. Poole. —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1021. To make an appropriation from the State General Fund to certain historical sites for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

RULE SUSPENDED

On motion of Rep. Johnson (RG), Rule 6(1) was suspended to accept the bill, H. 173 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 173. To amend Section 14-3-9, Code of Alabama 1975, relating to the reporting of violations of law and arrest powers by and for Department of Corrections personnel, so as to provide certain specified employees of the Department of Corrections with full and unlimited police powers and jurisdiction as any other state police officer.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (RG), the House concurred in and adopted the Senate amendment to the bill, H. 173, said Senate amendment being as follows:

Amend House Bill No. 173 Page 2 Line 22, by inserting after the period. The powers vested in correctional investigative services officers under this

Act will be limited to investigation and/or arrests involving inmates or employers of the Department of Corrections only.

Yeas 41; Nays 0.

Yeas:

Reps. Biddle, Blakeney, Brooks, Bryant, Crow, Curry, Davis, Escott, Faulk, Freeman, Gaston, Grouby, Hall, Haynes, Hettinger, Holmes, Johnson (RG), Laird, Logan, Mathis, McClain, McDowell, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rogers, Seibels, Slaughter, Spratt, White (G), White (L), Willis, Wright and Zoghby.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 515. Relating to Jefferson County; providing for the compensation of law enforcement employees in the Sheriff's Department.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Biddle, consideration of the bill, H. 515, with Senate amendment was temporarily postponed, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Jefferson County; providing for the compensation of law enforcement employees in the Sheriff's Department.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The starting pay and top pay of a law enforcement officer employed by the Jefferson County Sheriff's Department shall not be less than the starting pay and top pay of a law enforcement officer of comparable rank and position employed with the highest paid municipal law enforcement agency in Jefferson County at the time this act is implemented. Said municipality's municipal limits may be completely or partially in Jefferson County.

Section 2. Except as provided herein, the Jefferson County Sheriff's Department pay step schedule shall continue to be the same as other law enforcement agencies under the Jefferson County Personnel Board. Provisions

of this act shall not cause any employee to receive any reduction in present compensation.

Section 3. Additional expenditures created by the provisions of this act shall be paid from any funds available to the Jefferson County Commission.

Section 4. In the event that it is deemed necessary to terminate, demote or lay off any employee of Jefferson County to meet the provisions of this act, such demotions, terminations or lay offs shall be carried out in a fair and equal manner throughout all departments within Jefferson County.

Section 5. This act shall not become effective until the general employees of Jefferson County receive an increase in compensation. Provided further, however, such compensation received by the general employees shall not apply to law enforcement officers within the Jefferson County Sheriff's Department.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this act are hereby repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 222. To amend Sections 37-6-2 and 37-6-3,Code of Alabama 1975, to provide that electric cooperatives incorporated under Chapter 6 of Title 37 may provide television reception services, including programming. To clarify the power of cooperatives to condemn property devoted to public use and to provide for indemnification of trustees, directors, officers, employees or agents of a cooperative or serving at the request of the cooperative in such capacity with another entity from liability and expenses of defense in connection with any civil, criminal, administrative or investigative proceeding if such person acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interest of the cooperative or other entity or, in connection with criminal actions, if he had no reasonable cause to believe his conduct was unlawful, to provide that such indemnification shall not be made if a person is adjudged to be liable for negligence or misconduct unless the relevant court shall determine that such person should fairly and reasonably be entitled to indemnification, to establish the procedures to be followed in determining that indemnification of such a person is proper in the circumstances and that he has met the required standard of conduct, to provide for advance payment of expenses of defense, to provide that such indemnification rights are not exclusive of any other rights to which a person may be entitled and to authorize a cooperative to purchase insurance covering libilities asserted against such persons.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Holley, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 86.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Holley, Budget Isolation Resolution relating to S. B. 86, was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Laird, Layson, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Payne, Penry, Perdue, Petelos, Poole, Richardson, Rogers, Seibels, Spratt, Starkey, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

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And the bill:

S. 86. To amend Code of Alabama 1975, §13A-5-40(a)(5) to provide that murder of a law enforcement officer or prison or jail guard on duty is a capital offense regardless of whether the defendant knew or should have known that the victim was an officer or guard on duty; to state the need for such an amendment; to provide for severability; to provide an effective date.

Was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Blake, Blakeney, Box, Britnell, Brooks, Bryant, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Drake, Escott, Flowers, Frazier, Freeman, Gaston, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Laird, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Payne, Penry, Perdue, Petelos, Poole, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

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RULE SUSPENDED

On motion of Rep. Harper, Rule 6(1) was suspended to accept the bill, H. 1140 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1140. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Harper, the House non-concurred in the Senate amendment to the bill, H. 1140, and requested a Committee on Conference be appointed to resolve the differences between the two Houses on the Senate amendment, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. There is hereby appropriated for the fiscal year ending September 30, 1988, the sum of One Million Two Hundred and Seventy-Five Thousand Dollars ($1,275,000), out of the funds in the Alabama Special Educational Trust Fund, to be used for the support and maintenance of the Special Schools for Special Education and to be distributed by the State Board of Education as follows:

(a)	Butler County Training School for the Mentally Retarded in Greenville	$25,000
(b)	Hope Haven School in Colbert County	$25,000
(c)	Montgomery Institute of Neurological Development	$25,000
(d)	Birmingham Training Center for Brain-Injured Children	$35,000
(e)	Houston County Board of Education for the Vaughn-Blumberg Center for the Developmentally Disabled	$50,000
(f)	Alice Pigman School	$75,000
(g)	Geneva County Day Care and Training Center	$50,000
(h)	McGraw Activity Center	$50,000
(i)	Dallas County Day Care and Training Center	$50,000
(j)	Calhoun County Community—"EDUCATION PAR EXCELLENCE"	$50,000

(k) North Talladega County Association for Retarded Citizens, Inc. $25,000

(l) South Talladega County Association for Retarded Citizens, Inc. $25,000

(m) ECHO FOUNDATION $15,000

(n) Vivian B. Adams School $275,000

(o) Mcinnis School of Montgomery $400,000

(p) Alan Cott School $100,000

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1987-88, an operations plan for fiscal year 1986-87 and an audited financial statement for all operations during fiscal year 1985-86 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1987-88 funds following receipt of these reports.

SECTION 3. This Act shall become effective October 1, 1987.

Amend House Bill No. 1140 Page 2 Line 22, by inserting:

(q) Russell County Day Training School $25,000

(r) Russellville City School System $25,000

(s) Covington County School System $25,000

(t) Henry County School System $25,000

(u) Dallas County School System $25,000

Amend House Bill No. 1140 Page 2 by adding new sub section:

(v) Walker County School System $25,000

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Black, Blake, Blakeney, Box, Brooks, Bryant, Bugg, Burke, Buskey (JE), Butler, Carothers, Carter Clark (W), Cosby, Crow, Davis, Drake, Escott, Faulk, Flowers, Ford, Frazier, Gaston, Gray, Grayson, Grouby, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Laird, Layson, Lindsey, Logan, Marks, Mathis, McKee, Mikell, Moon, Parker, Payne, Perdue, Poole, Rains, Reed, Rogers, Seibels, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis and Zoghby.

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The Speaker appointed as a Committee on Conference on the part of the House Reps. Harper, Adams and Turnham.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Buskey (JL), the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 204.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Buskey (JL), Budget Isolation Resolution relating to S. B. 204, was adopted.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker, Beers, Biddle, Black, Blakeney, Box, Breedlove, Brooks, Bryant, Bugg, Buskey (JE), Buskey (JL), Clark (W), Crow, Curry, Davis, Escott, Faulk, Frazier, Freeman, Gaston, Grayson, Hamilton, Hammett, Harper, Headley, Hettinger, Higginbotham, Hill, Hogan, Holmes, Junkins, Kennedy, Knight, Kvalheim, Layson, Lindsey, Marks, McClain, McDowell, McKee, McMillan, Mikell, Parker, Payne, Penry, Perdue, Petelos, Rains, Reed, Rogers, Seibels, Spratt, Thomas, Turner, Venable, Walker, Warren, White (G), Willis and Zoghby.

—61

And the bill:

S. 204. To amend Section 22-20-3 of the Code of Alabama 1975, so as to further provide that all susceptible infants be tested for sickle cell anemia, sickle cell trait or abnormal hemoglobin.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Buskey (JL), Carothers, Crow, Curry, Davis, Dillard, Escott, Faulk, Flowers, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holmes, Johnson (RG), Junkins, Knight, Kvalheim, Laird, Layson, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Thomas, Turner, Turnham, Venable, Walker, Warren, White (G), Willis and Zoghby.

—75

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Zoghby, Budget Isolation Resolution relating to S. B. 42, was adopted.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Black, Blakeney, Breedlove, Britnell, Brooks, Bryant, Crow, Curry, Davis, Escott, Faulk, Flowers, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Higginbotham, Holmes, Johnson (RG), Kennedy, Knight, Laird, Layson, Marks, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Penry, Perdue, Petelos, Poole, Rains, Reed, Rogers, Slaughter, Spratt,

Thomas, Turner, Turnham, Venable, Walker, Warren, White (G), Willis and Zoghby.

—59

And the bill:

S. 42. To amend Sections 40-22-1 and 40-22-2, Code of Alabama 1975, which sections relate to recordation taxes levied upon deeds, bills of sale, mortgages or other instruments conveying any interest in real or personal property, so as to exempt the re-recording of such instruments executed in order to correct errors in such instruments, specifically, but not limited to, the correction of maturity dates of such instruments, for the purpose of perfecting the title to real or personal property.

Was read a third time at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Black, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Buskey (JE), Buskey (JL), Carter, Clark (W), Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Logan, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Rogers, Slaughter, Spratt, Thomas, Turner, Turnham, Walker, Warren, White (F), White (G), White (L), Willis and Zoghby.

—81

BUDGET ISOLATION RESOLUTION

On motion of Rep. Johnson (RG), Budget Isolation Resolution relating to S. B. 158, was adopted.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker, Beasley, Beers, Biddle, Blakeney, Box, Breedlove, Brooks, Bryant, Buskey (JL), Davis, Dillard, Escott, Faulk, Flowers, Frazier, Freeman, Gaston, Grayson, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holmes, Johnson (RG), Junkins, Knight, Kvalheim, Layson, Logan, Marks, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Seibels, Spratt, Thomas, Turner, Turnham, Walker, White (F), White (G), White (L), Willis and Zoghby.

—63

And the bill:

S. 158. To provide for the establishment and operation of an Alabama Peace Officers' Hall of Fame Board, and to prescribe its powers and duties.

Was read a third time at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker, Beers, Black, Blakeney, Box, Britnell, Brooks, Bryant, Bugg, Buskey (JL), Carter, Coburn, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Ford, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Johnson (RG), Junkins, Kennedy, Knight, Kvalheim, Laird, Logan, Marks, McClain, McDowell, McKee, McMillan, Newman, Parker, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Seibels, Slaughter, Spratt, Thomas, Turner, Turnham, Walker, Warren, Willis and Zoghby.

—65

BUDGET ISOLATION RESOLUTION

On motion of Rep. Hill, Budget Isolation Resolution relating to S. B. 1, was adopted.

Yeas 52; Nays 12.

Yeas:

Mr. Speaker, Beasley, Biddle, Bowling, Box, Breedlove, Britnell, Brooks, Carter, Crow, Curry, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Gaston, Grouby, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Johnson (RG), Junkins, Knight, Kvalheim, Laird, Layson, Logan, Marks, McMillan, Mikell, Moon, Newman, Parker, Penry, Petelos, Seibels, Slaughter, Turnham, Venable, Warren, White (L), Willis and Wright.

—52

Nays:

Reps. Blakeney, Bugg, Carothers, Freeman, Grayson, Holley, Johnson (RW), Mathis, McKee, Payne, Poole and Walker.

—12

And the bill:

S. 1. To amend further Code of Alabama 1975, Section 32-5-313, relating to a penalty for a traffic infraction so as to increase the amount of the penalty; to create the Alabama Traffic Safety Center Fund; to provide that the additional amounts shall be used to support programs of the Alabama Traffic Safety Center; and to fund courses in the driver safety, motorcycle safety and boating safety.

Was read a third time at length and passed.

Yeas 53; Nays 15.

Yeas:

Mr. Speaker, Bowling, Box, Breedlove, Brooks, Burke, Butler, Carter, Crow, Curry, Drake, Faulk, Flowers, Ford, Frazier, Gaston, Gray, Grouby, Hamilton, Hammett, Harper, Haynes, Headley, Higginbotham, Hill, Hogan, Johnson (RG), Kennedy, Knight, Kvalheim, Laird, Layson, Logan, Marietta, Mathis, McMillan, Moon, Newman, Penry, Petelos, Reed, Seibels, Slaughter,

Starkey, Turner, Turnham, Venable, Warren, White (F), White (L), Willis, Wright and Zoghby.

—53

Nays:

Reps. Blakeney, Bugg, Freeman, Grayson, Hall, Harvey, Holley, Johnson (RW), Junkins, Lindsey, McKee, Parker, Payne, Poole and Walker.

—15

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Joint Resolution and sends same herewith to the House:

By Senator Bailey:

S. J. R. 54. CREATING THE JOINT STUDY COMMITTEE ON EDUCATION.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Rep. McMillan offered the motion to suspend the rules and adopt the resolution, S. J. R. 54, the title of which is set out in the above and foregoing Message from the Senate.

DIVISION OF THE QUESTION

Rep. Johnson (RW) called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Rep. McMillan to suspend the rules in order to take up for immediate consideration the resolution, S. J. R. 54, and the motion was lost.

Yeas 12; Nays 45.

Yeas:

Reps. Box, Breedlove, Brooks, Freeman, Gray, Hettinger, Hill, Knight, McKee, McMillan, Mikell and Turnham.

—12

Nays:

Reps. Blake, Bowling, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (W), Coburn, Crow, Drake, Escott, Faulk, Ford, Frazier, Grayson, Harvey, Headley, Hogan, Holley, Holmes, Johnson (RW), Junkins, Kennedy, Laird, Lindsey, Logan, Marks, Mathis, Melton, Moon,

Newman, Parker, Payne, Reed, Spratt, Starkey, Thomas, Turner, Warren, White (F) and Willis.

—45

The resolution, S. J. R. 54, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the Report of the Committee on conference on the disagreement of the two Houses on the Bill:

H. 270. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1988.

and has requested that the present Conference Committee be discharged and a new Conference Committee appointed.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate, Senators: Barron, Horn, and Drinkard.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Fuller, the House acceded to the request of the Senate that the present Committee on Conference be discharged and a new Committee on Conference be appointed on the disagreement of the two Houses on the Senate amendment to the bill, H. 270.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Butler, Carothers, Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Gray, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Starkey, Thomas, Turner, Turnham, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—89

The Speaker appointed as a new Committee on Conference on the part of the House Reps. Fuller, Harper and Turnham.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 873. Authorizing certain institutions of higher learning to condemn lands needed for their educational purposes and providing that this act shall have certain supplemental effect.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Venable:

H. R. 529. DESIGNATING THE RECIPIENT OF THE ANNUAL ALABAMA HOUSE OF REPRESENTATIVES SHROUD AWARD.

REPORT OF CONFERENCE COMMITTEE

We, the Committee on Conference, appointed to reconcile the differences of the two houses concerning House Bill 270, have met in conference and have agreed to accept the attached substitute which is made a part of this report as is fully set out herein.

TAYLOR F. HARPER,
BILL FULLER,
PETE B. TURNHAM,
Conferees on the Part of the House.

FRED HORN,
LOWELL BARRON,
BILL DRINKARD,
Conferees on the Part of the Senate.

A BILL
TO BE ENTITLED
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1988.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1: The monies in Section 2 are appropriated from the named funds for the 1987-88 fiscal year to the state agency indicated, as the amounts to be used to pay the expenditures of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Alabama Statutes.

For the purpose of this Act, the amounts herein for expenditures are listed by programmatic area and the totals for all programs are shown by the source of funds. It is intended that only the named funds be appropriated to the agency concerned; and that the following definitions shall be applicable:

(a) "Appropriation Total" shall mean the aggregate total of all fund sources.

(b) "Program" shall mean specific governmental services required to achieve a specific objective. A program shall be directed to meeting the need of an identified clientele, or group of recipients or beneficiaries.

(c) "Capital Outlay" shall mean expenditures which result in the acquisition and/or addition to items, such as land or buildings, which have an appreciable and calculable period of usefulness in excess of one year, and shall be expended only for such purposes.

(d) "Debt Service" shall mean an expenditure for the payment of interest and principal on all bonded debt obligations of the State, and shall be expended only for such purposes.

SECTION 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for other functions of government, for the principal and interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1988, to be paid out of any monies hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor, except as provided in the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

	Fund Sources Included In Appropriation Total		
	General Fund	Trust Funds	Appropriation Total
2A. LEGISLATIVE:			
1. EXAMINERS OF PUBLIC ACCOUNTS, DEPARTMENT OF:			
(a) Legislative Support-Audit Services Program			3,837,924
SOURCE OF FUNDS:			
(1) State General Fund	3,637,924		
(2) Federal Funds		200,000	
Total Department of Examiners of Public Accounts	3,637,924	200,000	3,837,924
2. LEGISLATIVE COUNCIL:			
(a) Legislative Operations and Support Program			180,000
SOURCE OF FUNDS:			
(1) State General Fund	180,000		
Pursuant to Section 29-6-1 et seq., Code of Alabama 1975.			
Total Legislative Council	180,000		180,000
3. LEGISLATIVE FISCAL OFFICE:			
(a) Legislative Operations and Support Program (to include program review and evaluation)			944,916
SOURCE OF FUNDS:			
(1) State General Fund	912,496		

(2) State General Fund-State House Rent	32,420	
Total Legislative Fiscal Office	944,916	944,916
4. LEGISLATIVE REFERENCE SERVICE:		
(a) Legislative Operations and Support Program		1,084,171
SOURCE OF FUNDS:		
(1) State General Fund	1,038,257	
(2) State General Fund-State House Rent	45,914	
Total Legislative Reference Service	1,084,171	1,084,171
5. LEGISLATURE:		
(a) Legislative Operations and Support Program		3,240,000
It is the intent of the Legislature that (1) the above appropriation shall include funds for the necessary technical expenses associated with reapportionment (2) that at least $50,000 shall be allocated for the Ways and Means Committee, the House Rules Committee and the Speaker of the House Office and (3) that at least $50,000 shall be allocated for the Senate Finance and Taxation Committee, the Office of the Senate Pro Tempore and the Senate Rules Committee.		
The appropriation to the Legislature shall be expended under the provisions set forth in Section 29-1-22, Code of Alabama 1975, as amended.		
SOURCE OF FUNDS:		
(1) State General Fund	2,722,972	
(2) State General Fund-State House Rent	517,028	
Total Legislature	3,240,000	3,240,000
6. LEGISLATURES, NATIONAL CONFERENCE OF STATE:		
(a) Legislative Operations and Support Program		68,581
SOURCE OF FUNDS:		
(1) State General Fund	68,581	

Total National Conference of State Legislatures	68,581	68,581
7. LIEUTENANT GOVERNOR, OFFICE OF:		
(a) Legislative Operations and Support Program		400,000
SOURCE OF FUNDS:		
(1) State General Fund	400,000	
Total Office of the Lieutenant Governor	400,000	400,000
2B. JUDICIAL:		
1. COURT OF CIVIL APPEALS:		
(a) Court Operations Program		939,228
SOURCE OF FUNDS:		
(1) State General Fund	939,228	
Total Court of Civil Appeals	939,228	939,228
2. COURT OF CRIMINAL APPEALS:		
(a) Court Operations Program		1,405,516
SOURCE OF FUNDS:		
(1) State General Fund	1,405,516	
Total Court of Criminal Appeals	1,405,516	1,405,516
3. JUDICIAL INQUIRY COMMISSION:		
(a) Administrative Services Program		90,500
SOURCE OF FUNDS:		
(1) State General Fund	90,500	
Total Judicial Inquiry Commission	90,500	90,500
4. JUDICIAL RETIREMENT FUND:		
(a) Retirement Systems Program		1,452,000
SOURCE OF FUNDS:		
(1) State General Fund	1,452,000	
Total Judicial Retirement Fund	1,452,000	1,452,000
5. SUPREME COURT:		
(a) Court Operations Program		3,543,554
SOURCE OF FUNDS:		
(1) State General Fund	3,543,554	

Total Supreme Court	3,543,554		3,543,554
6. UNIFIED JUDICIAL SYSTEM:			
(Administrative Office of Courts)			
(a) Court Operations Program			49,000,984
(b) Administrative Services Program			3,041,589
(c) Consultant and Planning Services Program			181,450
(d) DUI Referral Program			90,725
(e) Fringe Benefit Program, Estimated			300,000
SOURCE OF FUNDS:			
(1) State General Fund	52,314,748		
(2) State General Fund-Social Security-County Judicial, Estimated	300,000		
Total Unified Judicial System	52,614,748		52,614,748
2C. EXECUTIVE:			
1. ACADEMY OF HONOR, ALABAMA:			
(a) Historical Resources Management Program			771
SOURCE OF FUNDS:			
(1) State General Fund	771		
As provided in Section 41-11-6, Code of Alabama 1975			
Total Alabama Academy of Honor	771		771
2. ACCOUNTANCY, ALABAMA STATE BOARD OF PUBLIC:			
(a) Professional and Occupational Licensing and Regulation Program			341,166
SOURCE OF FUNDS:			
(1) Alabama State Board of Public Accountancy Fund		341,166	
As provided in Section 34-1-22, Code of Alabama 1975. In addition to the amounts appropriated hereinabove to the State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or withdrawn by request of applicant.			

Total Alabama State Board of Public Accountancy		341,166	341,166
3. ADJUSTMENT, BOARD OF:			
(a) Special Services Program			310,000
SOURCE OF FUNDS:			
(1) State General Fund	15,000		
For the State General Fund Contribution to the total expenditure of $750,000 pursuant to Section 41-9-73, Code of Alabama 1975, as amended.			
(2) State General Fund, Estimated	280,000		
For expenditures as provided in Section 31-3-2 and Section 36-30-2, Code of Alabama 1975, as amended.			
(3) State General Fund-Administrative Costs	15,000		
Total Board of Adjustment	310,000		310,000
4. AERONAUTICS, DEPARTMENT OF:			
(a) Airport Development and Aeronautical Support Program			768,824
SOURCE OF FUNDS:			
(1) Airport Development Fund		768,824	
As provided by Section 4-2-42, Code of Alabama 1975.			
Total Department of Aeronautics		768,824	768,824
5. AGING, COMMISSION ON:			
(a) Planning and Advocacy for the Elderly Program			19,578,944
(b) Medicaid Waivered Services Program			6,019,225
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	1,405,000		
(2) State General Fund-Transfer-Medicaid Waiver	1,607,735		
(3) Federal, Local and Miscellaneous Funds		22,585,434	
Total Commission on Aging	3,012,735	22,585,434	25,598,169

The Commission on Aging shall contract with the existing Regional Planning Commissions or Councils of Local Governments and/or Area Agencies on Aging to provide services for one-third of the State's present and future client slots for the

program known as the "Medicaid Waiver Services Program-Home-and Community-Based Waiver for the Elderly and Disabled".			
6. AGRICULTURAL AND CONSERVATION DEVELOPMENT COMMISSION:			
(a) Water Resource Development Program			2,066,250
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	2,066,250		
Total Agricultural and Conservation Development Commission	2,066,250		2,066,250
7. AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION, ALABAMA:			
(a) Agricultural Development Services Program			27,218
SOURCE OF FUNDS:			
(1) State General Fund	27,218		
Total Alabama Agricultural and Industrial Exhibit Commission	27,218		27,218
8. AGRICULTURAL CENTER BOARD:			
(a) Agricultural Development Services Program			682,871
SOURCE OF FUNDS:			
(1) State General Fund	94,354		
For expense and awarding of prizes for fairs as provided in Section 2-7-21, Code of Alabama 1975.			
(2) State General Fund-Transfer-Operations	95,725		
(3) State General Fund-Transfer-Livestock Coliseum	232,982		
(4) Livestock Coliseum Fund		259,810	
Total Agricultural Center Board	423,061	259,810	682,871
9. AGRICULTURE AND INDUSTRIES, DEPARTMENT OF:			
(a) Administrative Services Program			1,624,459
(b) Agricultural Inspection Services Program			10,633,146
(c) Laboratory Analysis and Disease Control Program			3,799,104

(d) Agricultural Development Services Program			2,590,221
Of the above appropriation to the Agricultural Development Services Program, $100,000 shall be allocated for capital outlay purposes to the Coffee County Commission farm complex.			
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	8,162,161		
(2) Federal, Local and Miscellaneous Funds		2,335,295	
(3) Shipping Point Inspection Fund		4,521,500	
Pursuant to Sections 2-9-20 et seq., Code of Alabama 1975. All fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection grading and classsification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities.			
(4) Agricultural Fund		3,627,974	
Total Department of Agriculture and Industries	8,162,161	10,484,769	18,646,930
In addition to the above appropriation, there is also hereby appropriated $300,000 to be used for boll weevil eradication to be conditioned upon the availability of funds in the State General Fund and upon the approval of the Governor.			
10. ALABAMA TRUST FUND BOARD:			
(a) Administrative Program			226,813
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	226,813		
Total Alabama Trust Fund Board	226,813		226,813
11. ALCOHOLIC BEVERAGE CONTROL BOARD, ALABAMA:			
(a) Alcoholic Beverage Management Program			24,029,145
(b) Enforcement Program			5,886,000

(c) Administrative Services Program 4,044,840

The appropriation to the Alabama Alcoholic Beverage Control Board shall include a transfer to the Department of Mental Health of $1,000,000 and a transfer to the Department of Human Resources of $2,000,000.

SOURCE OF FUNDS:

(1) ABC Board Fund 33,959,985

In addition to the above appropriations herein made, there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alabama Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation. In addition to the above appropriation, it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered

by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.			
Total Alabama Alcoholic Beverage Control Board		33,959,985	33,959,985
12. ARCHITECTS, BOARD FOR REGISTRATION OF:			
(a) Professional and Occupational Licensing and Regulation Program			166,000
SOURCE OF FUNDS:			
(1) Fund of the Board for Registration of Architects		166,000	
As provided in Section 34-2-41, Code of Alabama 1975.			
Total Board for Registration of Architects		166,000	166,000
13. ARCHIVES AND HISTORY, DEPARTMENT OF:			
(a) Historical Resources Management Program			2,259,807
SOURCE OF FUNDS:			
(1) State General Fund	1,643,367		
(2) State General Fund-Archives and History Building Rent	450,000		
(3) Federal Funds		166,440	
Total Department of Archives and History	2,093,367	166,440	2,259,807
14. ATTORNEY GENERAL, OFFICE OF THE:			
(a) Legal Advice and Legal Services Program			6,023,881
(b) Fair Marketing Practices Program			494,235
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	4,773,443		
(2) State General Fund-Transfer-Consumer Protection	489,235		
(3) State General Fund-State House Rent	314,688		
(4) Transfer from Department of Human Resources		445,386	
(5) Federal, Local and Miscellaneous Funds		495,364	

Total Office of the Attorney General ..	5,577,366	940,750	6,518,116
In addition to the above appropriation to the Office of the Attorney General, there is hereby appropriated the amount of $500,000 to be conditioned upon obtaining federal funds. Said funds are to be used solely as a state match requirement for Federal Task Force and other Federal Grants; any unused funds will remain part of the overall General Fund and will not be allotted to the Office of the Attorney General. These funds cannot be used to supplant or replace existing state programs.			
15. AUDITOR, STATE:			
(a) Fiscal Management Program			804,322
SOURCE OF FUNDS:			
(1) State General Fund	774,102		
(2) State General Fund-State House Rent	30,220		
Total State Auditor	804,322		804,322
16. BANKING DEPARTMENT, STATE:			
(a) Charter, License and Regulate Financial Institutions Program			2,787,785
SOURCE OF FUNDS:			
(1) Banking Assessment Fees		2,484,685	
As provided in Section 5-2A-20, Code of Alabama 1975.			
(2) Loan Examination Fund		303,100	
As provided in Section 5-2A-24, Section 5-16-38.1, and Section 5-18-5, Code of Alabama 1975, as amended.			
Total State Banking Department		2,787,785	2,787,785
In addition to the above appropriation to the State Banking Department, there is hereby conditionally appropriated the amount of $100,000 from the Banking Department's funds to be transferred to the Secretary of State notwithstanding the provisions of Title 5, Chapter 2A, Sections 20 and 24, of the Code of Alabama 1975. This conditional appropriation is conditioned upon passage of the Uniform Commercial Code and Farm Products Central Index System Fee adjustment bill in			

the 1987 Regular Session of the Legislature and upon the approval of the Governor.			
17. BAR ASSOCIATION, ALABAMA STATE:			
(a) Professional and Occupational Licensing and Regulation Program			1,181,881
SOURCE OF FUNDS:			
(1) State Bar Association Fund		1,090,211	
As provided in Section 34-3-4 and Section 34-3-44, Code of Alabama 1975.			
(2) Local Funds, Estimated		91,670	
As provided in Sections 34-3-44, 34-3-17 and 34-3-18, Code of Alabama 1975.			
Total Alabama State Bar Association		1,181,881	1,181,881
18. BEAR CREEK DEVELOPMENT AUTHORITY:			
(a) Water Resource Development Program			42,822
SOURCE OF FUNDS:			
(1) State General Fund	42,822		
Total Bear Creek Development Authority	42,822		42,822
19. BUILDING COMMISSION, STATE:			
(a) Special Services Program			708,326
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	340,219		
(2) Federal, Local and Miscellaneous Funds		368,107	
Total State Building Commission	340,219	368,107	708,326
20. CAHAWBA ADVISORY COMMITTEE:			
(a) Historical Resources Management Program			9,550
SOURCE OF FUNDS:			
(1) State General Fund	9,550		
Total Cahawba Advisory Committee ..	9,550		9,550
21. CHILD ABUSE AND NEGLECT PREVENTION BOARD:			
(a) Social Services Program			216,500
In accordance with Sections 26-16-1 et seq. and 26-16-30 et seq., Code of Alabama 1975, as amended.			

SOURCE OF FUNDS:			
(1) State General Fund-Transfer to Children's Trust Fund	125,000		
(2) Children's Trust Fund, Estimated		91,500	
Total Child Abuse and Neglect Prevention Board	125,000	91,500	216,500
22. CHIROPRACTIC EXAMINERS, ALABAMA STATE BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			73,800
SOURCE OF FUNDS:			
(1) Alabama State Board of Chiropractic Examiner's Fund		73,800	
As provided in Section 34-24-143, Code of Alabama 1975.			
Total Alabama State Board of Chiropractic Examiners		73,800	73,800
23. CONSERVATION AND NATURAL RESOURCES, DEPARTMENT OF:			
(a) State Land Management Program			805,000
(b) Outdoor Recreation Sites and Services Program			17,305,551
Of the above appropriation to Outdoor Recreation Sites and Services Program, and in addition to the regular allotment to be received by said parks, $25,000 shall be allocated to Bucks Pocket State Park and $25,000 shall be allocated to DeSoto State Park.			
(c) Marine Police Program			2,772,524
(d) Wildlife Game and Fish Program			12,753,314
Of the above appropriation to the Wildlife Game and Fish Program, at least $15,000 shall be allocated for Sylvania Lake.			
(e) Marine Resources Program			1,905,000
(f) Land and Water Conservation Program			1,200,000
(g) Administrative Services Program			2,453,134
(h) Land Survey Program			342,387
The appropriation to the Department of Conservation and Natural Resources shall include Alabama's pro			

rata share of the Gulf States Marine Fisheries Commission operation expenses. The appropriation to the Department of Conservation and Natural Resources includes funds for the maintenance, staff and repair of the Governor's official beach mansion.

SOURCE OF FUNDS:			
(1) State General Fund-Transfer	1,561,700		
(2) Game and Fish Fund		12,738,314	
(3) State Lands Fund		805,000	
The funds hereinabove appropriated from the State Lands Fund includes funds for analyzing, cataloging and monitoring mineral reserves and the development thereof on State lands including water and offshore areas.			
(4) Marine Resources Fund		1,905,000	
In addition to the monies hereinabove appropriated from the Marine Resources Fund, all monies derived from contracts, grants or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated and may be expended by the Commissioner of Conservation on such Marine Resources Division programs or projects which he deems appropriate.			
(5) Marine Police Fund		2,772,524	
(6) State Parks Fund		300,000	
(7) Parks Revolving Fund		14,858,851	
(8) Administrative Funds		2,453,134	
The funds hereinabove appropriated shall be payable as provided in Section 9-2-1 et seq., Code of Alabama 1975.			
(9) Cigarette Tax		600,000	
(10) Land Survey Fund		342,387	
(11) Federal Land and Water Fund		1,200,000	
Total Department of Conservation and Natural Resources	1,561,700	37,975,210	39,536,910

In addition to the above appropriation to the Department of Conservation and Natural Resources, there is

hereby appropriated one million dollars ($1,000,000) from the State General Fund to the Outdoor Recreation Sites and Services Program to be conditioned on the availability of funds in the State General Fund and the approval of the Governor.			
24. CONTRACTORS, STATE LICENSING BOARD FOR GENERAL:			
(a) Professional and Occupational Licensing and Regulation Program			373,287
SOURCE OF FUNDS:			
(1) State Licensing Board for General Contractors Fund		373,287	
Pursuant to Section 34-8-25, Code of Alabama 1975. In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.			
Total State Licensing Board for General Contractors		373,287	373,287
25. CORRECTIONS, DEPARTMENT OF:			
(a) Administrative Services and Logistical Support Program			8,892,505
(b) Institutional Services Corrections Program			95,792,747
(c) Correctional Industries Program ..			15,296,485
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	103,992,312		
(2) Department of Corrections Fund		15,989,425	
The Commissioner of the Department of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appropriate, to generate additional funds which would effectively increase the appropriations for the Department of Corrections. Any such grant funds so generated and in direct support of the Department of Corrections' operations are also hereby appropriated.			

Total Department of Corrections	103,992,312	15,989,425	119,981,737
In addition to the above appropriation to the Department of Corrections, there is hereby appropriated $2,500,000 to be conditioned upon the availability of funds in the State General Fund and the approval of the Governor.			
26. COSMETOLOGY, ALABAMA BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			487,500
SOURCE OF FUNDS:			
(1) Alabama Board of Cosmetology Fund		487,500	
As provided in Section 34-7-42, Code of Alabama 1975.			
Total Alabama Board of Cosmetology		487,500	487,500
27. COUNSELING, ALABAMA BOARD OF EXAMINERS IN:			
(a) Professional and Occupational Licensing and Regulation Program			48,500
SOURCE OF FUNDS:			
(1) Alabama Board of Examiners in Counseling Fund		48,500	
As provided in Section 34-8A-6, Code of Alabama 1975.			
Total Alabama Board of Examiners in Counseling		48,500	48,500
28. CREDIT UNION ADMINISTRATION, ALABAMA:			
(a) Charter, License and Regulate Financial Institutions Program			384,110
SOURCE OF FUNDS:			
(1) Alabama Credit Union Administration Fund		384,110	
As provided in Section 5-17-7, Code of Alabama 1975, as amended.			
Total Alabama Credit Union Administration		384,110	384,110
29. CRIME VICTIMS COMPENSATION COMMISSION, ALABAMA:			
(a) Special Services Program, Estimated			344,257
SOURCE OF FUNDS:			
(1) Alabama Crime Victims Compensation Commission Fund, Estimated		344,257	

To be expended in accordance with Sections 15-23-1 et seq., Code of Alabama 1975, as amended.			
Total Alabama Crime Victims Compensation Commission		344,257	344,257
30. CRIMINAL JUSTICE INFORMATION CENTER, ALABAMA:			
(a) Criminal Justice Information Services Program			3,025,534
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	2,336,431		
(2) Local Funds		689,103	
Total Alabama Criminal Justice Information Center	2,336,431	689,103	3,025,534
31. DEVELOPMENT OFFICE, ALABAMA:			
(a) Promotional Development Program-Alabama Film Commission			250,000
(b) Administrative Services Program-Office of Minority Business			95,500
(c) Industrial Development Program-Alabama Development Office			4,009,451
SOURCE OF FUNDS:			
(1) State General Fund-Transfer-Alabama Development Office	3,909,451		
(2) State General Fund-Transfer-Office of Minority Business	95,500		
(3) State General Fund-Transfer-Alabama Film Commission	250,000		
(4) Federal, Local and Miscellaneous Funds		100,000	
Total Alabama Development Office	4,254,951	100,000	4,354,951
In addition to the above appropriations to the Alabama Development Office, there is hereby appropriated one million dollars ($1,000,000) from the State General Fund to the industrial development program of the Alabama Development Office to be conditioned on the availability of funds in the State General Fund and the approval of the Governor.			
32. DISTRICT ATTORNEYS:			
(a) Court Operations Program			10,095,488
The proposed spending plan included in the above total is as follows:			
Salaries of District Attorneys 2,297,275			

Salary of elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit 56,319

For the use of the elected Assistant District Attorney of the Bessemer Division of the 10th Judicial Circuit 110,947

Salaries and expenses of Supernumerary District Attorneys 1,142,512

For use in the District Attorney's Office of the following Judicial Circuits:

1st Judicial Circuit 97,999

2nd Judicial Circuit 90,622

3rd Judicial Circuit 145,303

4th Judicial Circuit 340,314

5th Judicial Circuit 294,072

6th Judicial Circuit 242,048

7th Judicial Circuit 188,715

8th Judicial Circuit 147,564

9th Judicial Circuit 117,994

10th Judicial Circuit 370,757

11th Judicial Circuit 105,365

12th Judicial Circuit 210,978

13th Judicial Circuit 349,688

14th Judicial Circuit 109,224

15th Judicial Circuit 345,239

16th Judicial Circuit 165,981

17th Judicial Circuit 72,884

18th Judicial Circuit 182,293

19th Judicial Circuit 138,772

20th Judicial Circuit 165,997

21st Judicial Circuit 125,780

22nd Judicial Circuit 109,374

23rd Judicial Circuit 256,725

24th Judicial Circuit 103,211

25th Judicial Circuit 99,249

26th Judicial Circuit 168,785

27th Judicial Circuit 127,409

28th Judicial Circuit 150,768

29th Judicial Circuit 157,560

30th Judicial Circuit 157,361

31st Judicial Circuit 101,825

32nd Judicial Circuit 117,925

33rd Judicial Circuit 112,930

34th Judicial Circuit 89,915			
35th Judicial Circuit 85,647			
36th Judicial Circuit 86,632			
37th Judicial Circuit 133,631			
38th Judicial Circuit 123,011			
39th Judicial Circuit 90,632			
Travel Expense of District Attorneys 64,302			
Investigators Subsistence-Act 85-754 143,954			
SOURCE OF FUNDS:			
(1) State General Fund	10,095,488		
Total District Attorneys	10,095,488		10,095,488
In addition to the above appropriation to the several district attorneys, any funds received by the respective district attorneys offices from Act No. 596 of the 1987 Regular Session are also hereby appropriated.			
33. ECONOMIC AND COMMUNITY AFFAIRS, ALABAMA DEPARTMENT OF:			
(a) Administrative Support Services Program			4,698,526
(b) Planning Program			41,125,133
(c) Special Services Program			20,787,372
(d) Skills Enhancement and Employment Opportunities Program			66,881,788
(e) Energy Management Program			13,524,843
(f) Traffic Control and Accident Prevention Program			3,051,323
(g) Law Enforcement Planning and Development Program			2,267,481
(h) Surplus Property Program			1,116,700
(i) Regional Planning Commission			300,000
(j) Coal Water Fuel Development Project			100,000
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	8,262,983		
(2) Federal, Local and Miscellaneous Funds		140,624,915	
(3) Administrative Transfers		3,848,568	
(4) Administrative Transfers from Federal Donated Surplus Property Sales		506,700	

(5) Administrative Transfers from State-Owned Surplus Property Sales		610,000	
Total Alabama Department of Economic and Community Affairs	8,262,983	145,590,183	153,853,166
In addition to the above appropriation to the Alabama Department of Economic and Community Affairs-Planning Program, there is also hereby appropriated $1,000,000 to be conditioned upon the availability of funds in the State General Fund and upon the approval of the Governor.			
34. ELECTRICAL CONTRACTORS, BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			85,000
SOURCE OF FUNDS:			
(1) Electrical Contractors Board Fees		85,000	
As provided by Act No. 85-921, 1985 Second Special Session.			
Total Board of Electrical Contractors		85,000	85,000
35. ELK RIVER DEVELOPMENT AGENCY:			
(a) Water Resource Development Program			4,265
SOURCE OF FUNDS:			
(1) State General Fund	4,265		
Total Elk River Development Agency	4,265		4,265
36. EMERGENCY MANAGEMENT AGENCY:			
(a) Readiness and Recovery Program			4,129,530
(b) Transfer to County Emergency Management Agencies			350,000
The above appropriation of $350,000 is to be in addition to the regular allocations to county emergency management agencies.			
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	1,054,469		
(2) Federal, Local and Miscellaneous Funds		3,425,061	

Total Emergency Management Agency	1,054,469	3,425,061	4,479,530
37. ENERGY BOARD, SOUTHERN STATES:			
(a) Discovery and Development of Mineral, Energy and Water Resources, Geological Research and Topographic Mapping Program			21,171
SOURCE OF FUNDS:			
(1) State General Fund	21,171		
Total Southern States Energy Board	21,171		21,171
38. ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR PROFESSIONAL:			
(a) Professional and Occupational Licensing and Regulation Program			393,799
SOURCE OF FUNDS:			
(1) Professional Engineers' Fund		393,799	
As provided in Section 34-11-36, Code of Alabama 1975.			
Total State Board of Registration for Professional Engineers and Land Surveyors		393,799	393,799
39. ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF:			
(a) Environmental Management Program			11,339,581
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	3,113,488		
(2) Environmental Management Fees and Fines		2,400,945	
As provided in Section 22-22A-11, Code of Alabama 1975 (1983 Cum. Supp.).			
(3) Federal, Local and Miscellaneous Funds		5,825,148	
Total Department of Environmental Management	3,113,488	8,226,093	11,339,581
40. ETHICS COMMISSION, ALABAMA:			
(a) Regulation of Public Officials and Employees Program			305,000
SOURCE OF FUNDS:			
(1) State General Fund	305,000		

Total Alabama Ethics Commission	305,000		305,000
41. FARM CRISIS AND TRANSITION PROGRAM:			
(a) Agricultural Development Services Program			166,250
SOURCE OF FUNDS:			
(1) State General Fund	166,250		
Total Farm Crisis and Transition Program	166,250		166,250
42. FARMERS' MARKET AUTHORITY:			
(a) Agricultural Development Services Program			249,101
SOURCE OF FUNDS:			
(1) State General Fund-Transfer for Administration	93,216		
(2) Farmers' Market Authority Fund-Revenue and Capital Outlay Account		155,885	
Total Farmers' Market Authority	93,216	155,885	249,101
43. FINANCE, DEPARTMENT OF:			
(a) Fiscal Management Program			3,148,950
(b) Administrative Support Services Program			3,858,675
(c) Capitol Police-Equipment			71,036
SOURCE OF FUNDS:			
(1) State General Fund	6,838,157		
(2) State General Fund-State House Rent	190,504		
(3) Miscellaneous Funds		50,000	
Total Department of Finance	7,028,661	50,000	7,078,661
44. FINANCE, DEPARTMENT OF-AIR TRANSPORTATION:			
(a) Administrative Support Services Program			1,598,243
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	1,142,808		
(2) Departmental Receipts		455,435	
Total Department of Finance-Air Transportation	1,142,808	455,435	1,598,243
45. FINANCE, DEPARTMENT OF-STATE INSURANCE FUND:			
(a) Administrative Support Services Program			783,051
SOURCE OF FUNDS:			
(1) State Insurance Fund-Administrative		783,051	

As provided in Section 41-15-1 et seq., Code of Alabama 1975.			
Total Department of Finance-State Insurance Fund		783,051	783,051
46. FOREIGN TRADE RELATIONS COMMISSION:			
(a) Special Services Program			80,220
SOURCE OF FUNDS:			
(1) State General Fund	80,220		
Total Foreign Trade Relations Commission	80,220		80,220
47. FORENSIC SCIENCES, DEPARTMENT OF:			
(a) Forensic Science Services Program			5,309,000
SOURCE OF FUNDS:			
(1) State General Fund	5,122,000		
(2) Federal, Local and Miscellaneous Funds		187,000	
Total Department of Forensic Sciences	5,122,000	187,000	5,309,000
48. FORESTERS, ALABAMA STATE BOARD OF REGISTRATION FOR:			
(a) Professional and Occupational Licensing and Regulation Program			24,500
SOURCE OF FUNDS:			
(1) Professional Foresters' Fund		24,500	
As provided in Section 34-12-36, Code of Alabama 1975.			
Total Alabama State Board of Registration for Foresters		24,500	24,500
49. FORESTRY COMMISSION, ALABAMA:			
(a) Forest Resources Protection Program			13,409,910
(b) Forest Resources Development Program			3,179,900
(c) Administrative Services Program			2,230,690
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	10,388,500		
(2) Federal and Local Funds		2,275,000	
(3) Forestry Commission Fund		6,157,000	

Of the above appropriation, at least $650,000 shall be used for rural and community fire protection.			
Total Alabama Forestry Commission	10,388,500	8,432,000	18,820,500
In addition to the above appropriation to the Alabama Forestry Commission, there is hereby conditionally appropriated $400,000 for capital outlay from the Alabama Forestry Commission Fund contingent on the satisfactory sale of certain present property where the Birmingham District Headquarters is located in Jefferson County. The proceeds from said sale shall be covered into the Alabama Forestry Commission Fund. The above conditional appropriation shall be used to purchase land, building(s), and/or construction of building(s) in order to relocate the Birmingham District Headquarters. This conditional appropriation shall become absolute when said sale is concluded, recommended by the Finance Director and approved by the Governor.			
50. FUNERAL SERVICE, ALABAMA BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			120,000
SOURCE OF FUNDS:			
(1) Alabama Funeral Directors and Embalmers Fund		120,000	
As provided in Section 34-13-23, Code of Alabama 1975, as amended.			
Total Alabama Board of Funeral Service		120,000	120,000
51. GEOLOGICAL SURVEY:			
(a) Discovery and Development of Mineral, Energy and Water Resources, Geologic Research and Topographic Mapping Program			2,120,034
SOURCE OF FUNDS:			
(1) State General Fund	1,753,001		
(2) Federal, Local and Micellaneous Funds		367,033	

Total Geological Survey	1,753,001	367,033	2,120,034
52. GORGAS MEMORIAL BOARD:			
(a) Historical Resources Management Program			7,894
SOURCE OF FUNDS:			
(1) State General Fund	7,894		
As provided in Section 41-9-220, Code of Alabama 1975 and an additional amount.			
Total Gorgas Memorial Board	7,894		7,894
53. GOVERNOR'S CONTINGENCY FUND:			
(a) Executive Direction Program			1,562,900
SOURCE OF FUNDS:			
(1) State General Fund	1,562,900		
Total Governor's Contingency Fund	1,562,900		1,562,900
54. GOVERNOR'S MANSION ADVISORY BOARD:			
(a) Historical Resources Management Program			9,073
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	9,073		
Total Governor's Mansion Advisory Board	9,073		9,073
55. GOVERNOR'S MANSION:			
(a) Executive Direction Program			181,450
SOURCE OF FUNDS:			
(1) State General Fund	181,450		
Total Governor's Mansion	181,450		181,450
56. GOVERNOR'S OFFICE:			
(a) Executive Direction Program			1,464,506
SOURCE OF FUNDS:			
(1) State General Fund	1,388,093		
(2) State General Fund-State House Rent	76,413		
Total Governor's Office	1,464,506		1,464,506
57. GOVERNOR'S OFFICE-LEGAL:			
(a) Executive Direction Program			92,540
SOURCE OF FUNDS:			
(1) State General Fund	92,540		

Total Governor's Office-Legal	92,540		92,540
58. GOVERNOR'S VOLUNTARY CITIZENS' PARTICIPATION:			
(a) Executive Direction Program			164,410
SOURCE OF FUNDS:			
(1) State General Fund	82,000		
(2) Federal, Local and Miscellaneous Funds		13,065	
(3) Transfer from Governor's Office		69,345	
Total Governor's Voluntary Citizens' Participation	82,000	82,410	164,410
59. HEALTH, DEPARTMENT OF PUBLIC:			
(a) Personal Health Improvement Program			57,675,144
(b) Health Support Services Program			59,977,764
Of this amount $6,429,836 shall go to support local health department services of which $4,020,000 shall be used to provide a minimum staff in each of the sixty-seven counties, and the remaining amount shall be distributed on a one-to-one match with locally appropriated funds for the support of local health services on a formula to be determined by the department. At the end of the first quarter, any unmatched funds may be distributed to other counties with appropriate matching funds.			
(c) Administrative Services Program			6,684,736
SOURCE OF FUNDS:			
(1) State General Fund	20,593,995		
(2) Cigarette Tax-$0.01 and $0.02		4,002,848	
As provided in Section 40-25-2 and Section 40-25-23, Code of Alabama 1975, as amended.			
(3) Vital Statistics Fund		1,693,053	
(4) Hospital Licensing Fund		225,000	
(5) Emergency Medical Services Fund		50,000	
As provided in Section 22-18-4, Code of Alabama 1975.			
(6) Local Health Department		39,491,371	
(7) Nuclear Monitoring Fund		112,000	
(8) Radiation Safety Fund		172,000	

(9) Miscellaneous Funds		5,735,749	
(10) Federal Funds		52,261,628	
Total Department of Public Health	20,593,995	103,743,649	124,337,644
By October 1, 1987, the Alabama Department of Public Health, Licensure and Certification, will assure quality of care given to individual patients by certified home health agencies. This may be done by a certified sampling method but must include all home health agencies statewide during the course of the year.			
60. HEALTH PLANNING AGENCY, STATE:			
(a) Health Planning, Development and Regulation Program			712,455
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	287,455		
(2) Certificate of Need Fees		375,000	
(3) Federal, Local and Miscellaneous Funds		50,000	
Total State Health Planning Agency	287,455	425,000	712,455
61. HEARING AID DEALERS, ALABAMA BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			50,000
SOURCE OF FUNDS:			
(1) State Board of Health-Hearing Aid Fund		50,000	
As provided in Section 34-14-33, Code of Alabama 1975.			
Total Alabama Board of Hearing Aid Dealers		50,000	50,000
62. HEATING AND AIR CONDITIONING CONTRACTORS, BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			117,332
SOURCE OF FUNDS:			
(1) Heating and Air Conditioning Contractors Fund		117,332	
Total Board of Heating and Air Conditioning Contractors		117,332	117,332
63. HERITAGE TRUST FUND, ALABAMA:			
(a) Fiscal Management Program			20,000

SOURCE OF FUNDS:			
(1) Heritage Trust Income		20,000	
Total Alabama Heritage Trust Fund		20,000	20,000
64. HIGHWAY DEPARTMENT:			
(a) Central Administration Program			10,080,682
(b) Division and District Supervision Program			18,869,261
(c) Operations and Support Services Program			8,351,901
(d) Maintenance Program			129,113,937
(e) Non-Programmatic Programs			92,036,209
Proposed Spending Plan for the above (e) includes the following:			
Debt Service 89,992,392			
Equipment-Other than Automotive 2,043,817			
(f) Construction-Federal Aid Program			409,987,568
Proposed Spending Plan for the above (f) includes the following:			
Federal Aid Matching 60,615,416			
Non-Participating Work on Federal Projects 1,000,000			
Federal Aid 348,372,152			
(g) Construction-State Program			20,250,000
(h) Operations-Land and Buildings			1,745,700
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	311,500		
(2) Public Road and Bridge Fund		341,751,606	
(3) Federal Aid		348,372,152	

There is hereby appropriated, for payment of the principal of and the interest on all bonds heretofore or hereafter issued for public highways and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, Alabama Federal Aid Highway Finance Authority, or Alabama Industrial Access Road and Bridge Corporation, a total of $89,992,392 or so much as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment. The Highway Director with the consent of the Governor and the Finance Director shall have the authority to transfer any

appropriation or any portion thereof between and among Subsections (a), (b), (c), (d), (e), (f), (g), (h) of this Section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable. In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:

(1) the appropriations made for Debt Service in Subsection (e) hereof shall be paid in full, (2) the appropriations from the revenues accruing to the State Highway Department that are herein made for the purposes referred to in Subsections (a), (b), (c), (d), (e), (f), (g), (h) except for Debt Service, hereof shall be allocated among the purposes referred to in said Subsections in such order and with such priorities as the State Highway Director shall from time to time direct. The funds appropriated in Subsection (f) hereof, for the matching Federal Funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purpose for which such appropriation was made. In addition to all appropriations hereinabove made there is hereby appropriated to the State Highway Department all Federal Funds accruing thereto to be expended only for the purpose for which such funds are made available.

Total Highway Department	311,500	690,123,758	690,435,258
65. HISTORIC BLAKELEY AUTHORITY:			
(a) Tourism and Travel Promotion Program			140,150
(b) Capital Outlay			50,000
SOURCE OF FUNDS:			
(1) State General Fund	190,150		

Total Historic Blakeley Authority	190,150	190,150
66. HISTORIC CHATTAHOOCHEE COMMISSION:		
(a) Historical Resources Management Program		80,000
SOURCE OF FUNDS:		
(1) State General Fund	80,000	
Total Historic Chattahoochee Commission	80,000	80,000
67. HISTORICAL COMMISSION, ALABAMA:		
(a) Historical Resources Management Program		1,312,192
(b) Historical Resources Management Program-Capital Outlay		239,000
(c) Historical Preservation Projects ...		250,000
Of the above appropriation to Historical Preservation Projects, the amount of $50,000 shall be expended for the Iron Foundry Restoration Project.		
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	685,455	
The State General Fund appropriation shall be distributed as follows:		
Historical Commission, Alabama 484,858		
Historical Commission-La Grange 7,774		
Historical Commission-Richard P. Hobson Memorial Board 5,724		
Historical Commission-Fort Morgan 110,345		
Historical Commission-Fort Toulouse 40,294		
Historical Commission-John T. Morgan House, Selma 11,460		
Historical Commission-Cahaba 25,000		
(2) State General Fund-Transfer-Capital Outlay	239,000	
The State General Fund Transfer for Capital Outlay shall be distributed as follows:		
Belle Mont 94,000		
Cahaba 25,000		
Fort Morgan 25,000		

John T. Morgan House 50,000			
Magnolia Grove 45,000			
(3) State General Fund-Transfer-Historical Preservation Projects	250,000		
(4) Federal, Local and Miscellaneous Funds		626,737	
Total Alabama Historical Commission	1,174,455	626,737	1,801,192
68. HUMAN RESOURCES, DEPARTMENT OF:			
(a) Human Services Program			256,238,481
It is the intent of the Legislature that allotments be made to the County Departments of Human Resources in the amount of $165,500 to fund, upon approval of the county department director, supplemental client services not otherwise provided for through existing programs of the Department of Human Resources. Allotments to the county departments based on the counties' populations according to the 1980 census are as follows: county populations greater than 50,000, $3,500; county populations less than 50,000, $2,000.			
The appropriation to the Department of Human Resources shall include a transfer to the Department of Mental Health and Mental Retardation of $2,500,000 of Title XX Funds.			
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	10,035,931		
(2) Federal, Local and Miscellaneous Funds		170,513,794	
(3) ABC Profits		1,250,000	
(4) Whiskey Tax		19,600,000	
(5) Beer Tax		8,100,000	
(6) Pension Residue		12,350,000	
(7) Sales Tax		1,322,000	
(8) Franchise Tax		10,958,000	
(9) Contracts, Service Fees		80,000	
(10) Child Support Collections		2,943,756	
(11) Sales Tax for Food Stamps		10,760,000	
(12) Cigarette Tax		4,375,000	
(13) Contractor's Gross Receipts Tax		1,950,000	
(14) Transfer from ABC Board		2,000,000	

Total Department of Human Resources	10,035,931	246,202,550	256,238,481

It is the intent of the Legislature that two-thirds of the state's present and future client slots for the program known as the "Medicaid Waiver Services Program-Home and Community-Based Waiver for the Elderly and Disabled" be served by the Department of Human Resources. The Department of Human Resources may contract with other agencies, specifically including-the State Department of Public Health, to provide the services under the Medicaid Waiver Services Program.

69. INDIAN AFFAIRS COMMISSION, ALABAMA:			
(a) Social Services Program			135,000

The above appropriation is to be expended in accordance with Sections 41-9-708 et seq., Code of Alabama 1975, as amended.

SOURCE OF FUNDS:			
(1) State General Fund	135,000		
Total Alabama Indian Affairs Commission	135,000		135,000
70. INDUSTRIAL DEVELOPMENT AUTHORITY, STATE:			
(a) Industrial Development Program			97,000
SOURCE OF FUNDS:			
(1) SIDA Application Fees Fund		97,000	
Total State Industrial Development Authority		97,000	97,000
71. INDUSTRIAL RELATIONS, DEPARTMENT OF:			
(a) Unemployment Compensation Program			16,037,088
(b) Skills Enhancement and Employment Opportunities Program			19,395,639
(c) Industrial Safety and Accident Prevention Program			4,833,596
(d) Administrative Services Program			8,400,946
(e) Workmen's Compensation Program			549,827
SOURCE OF FUNDS:			
(1) State General Fund	1,148,296		

(2) Federal, Local and Miscellaneous Funds		48,068,800	
Total Department of Industrial Relations	1,148,296	48,068,800	49,217,096
72. INSURANCE, DEPARTMENT OF:			
(a) Regulatory Services Program			2,316,506
SOURCE OF FUNDS:			
(1) State General Fund	1,244,919		
(2) Examiners Fund		938,161	
(3) Fire Marshal's Fund		133,426	
As provided in Section 24-5-10, Code of Alabama 1975, as amended.			
Any balance in exess of $50,000 at the end of the fiscal year shall be transferred to the State General Fund.			
Total Department of Insurance	1,244,919	1,071,587	2,316,506
73. INSURANCE BOARD, STATE EMPLOYEES':			
(a) Administrative Support Services Program			122,900
SOURCE OF FUNDS:			
(1) State Employees' Insurance Board Expense Fund		122,900	
Total State Employees' Insurance Board		122,900	122,900
74. INTERIOR DESIGNERS, ALABAMA STATE BOARD OF REGISTRATION FOR:			
(a) Professional and Occupational Licensing and Regulation Program			5,700
SOURCE OF FUNDS:			
(1) Interior Designers Fund		5,700	
As provided in Section 34-15A-7, Code of Alabama 1975, (1983 Cum. Supp.).			
Total Alabama State Board of Registration for Interior Designers		5,700	5,700
75. LABOR, DEPARTMENT OF:			
(a) Regulatory Services Program			350,480
SOURCE OF FUNDS:			
(1) State General Fund	301,480		
(2) Federal, Local and Miscellaneous Funds		49,000	

Total Department of Labor	301,480	49,000	350,480
76. LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS FOR:			
(a) Professional and Occupational Licensing and Regulation Program			15,895
SOURCE OF FUNDS:			
(1) Landscape Architects Fund		15,895	
As provided in Section 34-17-6, Code of Alabama 1975.			
Total Board of Examiners for Landscape Architects		15,895	15,895
77. LIQUEFIED PETROLEUM GAS BOARD:			
(a) Regulatory Services Program			267,000
SOURCE OF FUNDS:			
(1) Liquefied Petroleum Gas Board Fund		267,000	
Total Liquefied Petroleum Gas Board		267,000	267,000
77A. MANUFACTURED HOUSING COMMISSION, ALABAMA:			
(a) Regulatory Services Program			149,486
SOURCE OF FUNDS:			
(1) Alabama Manufactured Housing Commission Fund		149,486	
As provided in Section 24-5-13.1, Code of Alabama 1975, as amended.			
Total Alabama Manufactured Housing Commission		149,486	149,486
78. MEDICAID AGENCY, ALABAMA:			
(a) Medical Assistance Through Medicaid Program			478,447,965
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	101,600,000		
(2) Transfer from Department of Human Resources		1,945,674	
(3) Transfer from Mental Health		18,109,380	
(4) Transfer from Commission On Aging		1,607,735	
(5) Federal, Local and Miscellaneous Funds		355,185,176	
Total Alabama Medicaid Agency	101,600,000	376,847,965	478,447,965

It is the intent of the Legislature that a portion of the above appropriation

of State and Federal funds be used for the Medicaid Agency's program to expand Medicaid coverage for expectant mothers and their babies, (also referred to as the SOBRA Program).

In addition to the above appropriation to the Alabama Medicaid Agency, it is the intent of the Legislature that any donations, appropriations or funds received by the state on behalf of the Alabama Medicaid Agency's program to expand medical coverage for expectant mothers, mothers and babies is hereby appropriated to the Alabama Medicaid Agency.

79. MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF:			
(a) Institutional Treatment and Care-Mental Illness Program			84,495,467
(b) Institutional Treatment and Care-Mental Retardation Program			68,027,005
(c) Institutional Treatment and Care-Criminally Insane Program			5,195,229
(d) Administrative Services Program			5,002,186
(e) Community Services Program			51,101,196
(f) Patient Advocacy Program			298,003
(g) Special Mental Health Services Program			275,000
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	57,258,000		
(2) Special Mental Health Trust Fund		83,043,403	
For operations and maintenance of the State Mental Health and Mental Retardation Department and the Mental Health and Mental Retardation Community Programs, including the purchase of drugs for medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama State Hospitals.			
(3) Transfer from ABC Profits		1,000,000	
(4) Cigarette Tax		6,700,000	
(5) Transfer from Department of Human Resources-Title XX		2,500,000	
(6) Federal, Local and Miscellaneous Funds		63,892,683	

Total Department of Mental Health and Mental Retardation	57,258,000	157,136,086	214,394,086
In addition to the above appropriation to the Department of Mental Health and Mental Retardation, there is also hereby conditionally appropriated the sum of $50,000 which shall match private donations of $25,000 cash and shall be used for capital outlay purposes in the M4 catchment area; and such conditional appropriation shall be conditioned only upon the verification of the receipt of such private donations.			
80. MILITARY DEPARTMENT:			
(a) Military Operations Program			5,394,188
(b) Capital Outlay			250,000
SOURCE OF FUNDS:			
(1) State General Fund-Operations	1,644,538		
(2) State General Fund-Quarterly Allowances Headquarters	1,363,800		
Regular Allowance Units to be used solely for operating expenses; provided, that no more than $4,500 shall be allotted in any fiscal year for the Alabama National Guard Headquarters.			
(3) State General Fund-Transfer-Capital Outlay for Architect and Engineering Services, specifications and construction of facilities	250,000		
(4) State General Fund-Active Military Service	75,000		
(5) State General Fund-Transfer to Armory Commission	2,300,000		
(6) State General Fund-Dropping Allowance	4,500		
(7) State General Fund-State Defense Force	6,350		
Total Military Department	5,644,188		5,644,188
81. MILITARY DEPARTMENT-ARMORY COMMISSION OF ALABAMA:			
(a) Military Operations Program			4,340,843
SOURCE OF FUNDS:			
(1) Transfer from Military Department		2,300,000	

(2) Federal, Local and Miscellaneous Funds		2,040,843	
The funds hereinabove appropriated to the Armory Commission shall be payable from the funds in the State Treasury to the credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care, maintenance, and construction of facilities; provided, however, that the last federal government service contract reimbursement shall not revert to the State General Fund. Any surplus remaining in the Armory Commission Fund at the end of the fiscal year in excess of $50,000 shall be transferred to the State General Fund.			
Total Armory Commission of Alabama		4,340,843	4,340,843
82. MOTOR SPORTS HALL OF FAME:			
(a) Tourism and Travel Promotion Program			68,044
SOURCE OF FUNDS:			
(1) State General Fund	68,044		
Total Motor Sports Hall of Fame	68,044		68,044
83. MUSIC HALL OF FAME, ALABAMA:			
(a) Fine Arts Program			115,725
SOURCE OF FUNDS:			
(1) State General Fund	115,725		
Total Alabama Music Hall of Fame	115,725		115,725
84. NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS OF:			
(a) Professional and Occupational Licensing and Regulation Program			40,000
SOURCE OF FUNDS:			
(1) Board of Examiners of Nursing Home Administrators Fund		40,000	
As provided in Section 34-20-7, Code of Alabama 1975, as amended.			

Total Board of Examiners of Nursing Home Administrators		40,000	40,000
85. OIL AND GAS BOARD:			
(a) Management and Regulation of Oil and Gas Exploration and Development Program			2,012,060
SOURCE OF FUNDS:			
(1) State General Fund	2,002,060		
(2) Federal, Local and Miscellaneous Funds		10,000	
Total Oil and Gas Board	2,002,060	10,000	2,012,060
In addition to the above appropriation to the Oil and Gas Board, there is hereby conditionally appropriated the amount of $100,000 from the Oil and Gas Board Special Fund to be conditioned upon the passage of the legislation creating the Oil and Gas Board Special Fund during the 1987 Regular Session, and upon the approval of the Governor.			
86. PARDONS AND PAROLES, BOARD OF:			
(a) Administration of Pardons and Paroles Program			9,133,457
SOURCE OF FUNDS:			
(1) State General Fund	6,344,957		
(2) Probationers Upkeep Fund		2,788,500	
In accordance with Section 15-22-2, Code of Alabama 1975.			
Total Board of Pardons and Paroles	6,344,957	2,788,500	9,133,457
87. PEACE OFFICERS' ANNUITY AND BENEFIT FUND, ALABAMA:			
(a) Retirement Systems Program			262,912
SOURCE OF FUNDS:			
(1) Peace Officers' Annuity and Benefit Fund		262,912	
As provided in Section 36-21-66, Code of Alabama 1975.			

Total Alabama Peace Officers' Annuity and Benefit Fund	262,912	262,912
88. PERSONNEL DEPARTMENT, STATE:		
(a) Administrative Support Services Program		2,498,608
SOURCE OF FUNDS:		
Transfers to the State Personnel Department shall be as follows:		
(1) Board of Public Accountancy	243	
(2) Department of Aeronautics	364	
(3) Commission on Aging	1,658	
(4) Department of Agriculture and Industries	39,584	
(5) Agricultural Center Board	1,294	
(6) Alcoholic Beverage Control Board	77,267	
(7) Board of Registration for Architects	121	
(8) Archives and History	3,679	
(9) Council on Arts and Humanities	687	
(10) Attorney General's Office	11,240	
(11) State Auditor	1,496	
(12) State Banking Department	4,124	
(13) Building Commission	1,617	
(14) Child Abuse and Neglect Prevention Board	81	
(15) Chiropractic Examiners	81	
(16) Civil Air Patrol	81	
(17) Department of Conservation and Natural Resources	84,181	
(18) State Licensing Board for General Contractors	445	
(19) Department of Corrections	217,124	
(20) Board of Cosmetology	809	
(21) Credit Union Administration	445	
(22) Alabama Crime Victims Compensation	526	
(23) Criminal Justice Information Center	4,124	
(24) Alabama Development Office	2,830	
(25) State Docks	42,940	
(26) Department of Economic and Community Affairs	26,564	
(27) Department of Education	111,999	

(28) Electrical Contractors Board	40
(29) Emergency Management Agency	3,275
(30) Local Emergency Management	5,000
(31) Board of Registration for Professional Engineers and Land Surveyors	364
(32) Department of Environmental Management	19,529
(33) Ethics Commission	566
(34) Examiners of Public Accounts	16,739
(35) Farmers' Market Authority	202
(36) Finance Department	38,613
(37) Finance-Air Transportation	1,456
(38) Finance-Alabama Building Authority	2,345
(39) Finance-Alabama Building Finance Authority	1,051
(40) Firefighters' Personnel Standards and Education Commission	243
(41) Foreign Trade Relations Commission	121
(42) Department of Forensic Sciences	9,744
(43) Forestry Commission	35,783
(44) Funeral Services	121
(45) Geological Survey	4,326
(46) Governor's Office	1,536
(47) Department of Public Health	159,467
(48) State Health Planning Agency	1,496
(49) Board of Heating and Air Conditioning Contractors	162
(50) Highway Department	339,797
(51) Alabama Historical Commission	4,609
(52) Housing Finance Authority	40
(53) Department of Human Resources	311,777
(54) Alabama Indian Affairs Commission	202
(55) Department of Industrial Relations	147,458
(56) Insurance Department	4,448
(57) State Employees' Insurance Board	81
(58) Judicial Inquiry Commission	40
(59) Department of Labor	809

(60) Legislative Reference Service	485	
(61) Liquefied Petroleum Gas Board	526	
(62) Manufactured Housing Commission	323	
(63) Alabama Medicaid Agency	23,168	
(64) Department of Mental Health and Mental Retardation	401,700	
(65) Military Department	14,515	
(66) Board of Nursing	1,253	
(67) Board of Examiners of Nursing Home Administrators	40	
(68) Oil and Gas Board	4,529	
(69) Pardons and Paroles	21,995	
(70) Peace Officers' Annuity and Benefit Fund	202	
(71) Peace Officers' Standards and Training Commission	526	
(72) Physical Fitness Commission	485	
(73) Board of Physical Therapy	81	
(74) Board of Polygraph Examiners ..	81	
(75) Public Library Service	4,812	
(76) Department of Public Safety	96,432	
(77) Public Service Commission	10,553	
(78) Alabama Educational Television Commission	7,197	
(79) Real Estate Commission	1,577	
(80) Retirement Systems	9,380	
(81) Department of Revenue	95,543	
(82) Secretary of State	2,143	
(83) Securities Commission	1,779	
(84) Board of Social Work Examiners	81	
(85) Soil and Water Conservation	283	
(86) Surface Mining Commission	4,488	
(87) Bureau of Tourism and Travel ...	6,550	
(88) State Treasurer	3,841	
(89) Department of Veterans' Affairs	5,337	
(90) Department of Youth Services ...	31,659	
Total State Personnel Department	2,498,608	2,498,608
89. PHYSICAL THERAPY, BOARD OF:		
(a) Professional and Occupational Licensing and Regulation Program		69,643
SOURCE OF FUNDS:		
(1) Physical Therapy Fund	69,643	

As provided in Section 34-24-195, Code of Alabama 1975.			
Total Board of Physical Therapy		69,643	69,643
90. POLYGRAPH EXAMINERS, BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			30,000
SOURCE OF FUNDS:			
(1) Board of Polygraph Examiners Fund		30,000	
As provided in Section 34-25-5, Code of Alabama 1975.			
Total Board of Polygraph Examiners		30,000	30,000
91. PROSECUTION SERVICES, OFFICE OF:			
(a) Prosecution, Training, Education and Management Program			570,747
(b) Court Operations Program			364,688
Of the above appropriation for the Court Operations Program, $314,688 shall be distributed on a formula to be determined by the Executive Committee of the Alabama District Attorneys Association.			
SOURCE OF FUNDS:			
(1) State General Fund	364,688		
(2) Office of Prosecution Services Fund		570,747	
Total Office of Prosecution Services ...	364,688	570,747	935,435
92. PSYCHOLOGY, ALABAMA BOARD OF EXAMINERS IN:			
(a) Professional and Occupational Licensing and Regulation Program			39,450
SOURCE OF FUNDS:			
(1) Board of Examiners in Psychology Fund		39,450	
As provided in Section 34-26-43, Code of Alabama 1975, as amended.			
Total Alabama Board of Examiners in Psychology		39,450	39,450
93. PUBLIC SAFETY, DEPARTMENT OF:			
(a) Traffic Control and Accident Prevention Program			21,648,800
(b) Criminal Investigation Program ...			4,113,844

(c) Driver's Licensing and Improvement Program			9,230,197
(d) Public Safety Support Services Program			5,661,909
(e) Administrative Services Program			3,271,844
(f) Alabama Criminal Justice Training Center Program			1,429,406
SOURCE OF FUNDS:			
(1) State General Fund	45,356,000		
Total Department of Public Safety	45,356,000		45,356,000
94. PUBLIC SERVICE COMMISSION:			
(a) Regulatory Services Program			5,473,101
(b) Administrative Services Program			1,842,134
SOURCE OF FUNDS:			
(1) Public Service Commission Fund		6,665,235	
The above appropriation to the Alabama Public Service Commission shall be payable only from inspection and supervision fees paid by utilities and transportation companies and such parts or percentages of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission Fund at the end of the fiscal year in excess of $600,000 shall be transferred to the State General Fund.			
(2) Gas Pipeline Safety Fund		390,000	
(3) Federal and Miscellaneous Funds		260,000	
Total Public Service Commission		7,315,235	7,315,235
95. REAL ESTATE COMMISSION, ALABAMA:			
(a) Professional and Occupational Licensing and Regulation Program			1,120,119
SOURCE OF FUNDS:			
(1) Alabama Real Estate Commission Fund		1,120,119	
As provided in Section 34-27-4, Code of Alabama 1975, as amended and the total expenditures shall in no manner exceed the amounts hereby appropriated.			

Total Alabama Real Estate Commission		1,120,119	1,120,119
96. REVENUE, DEPARTMENT OF:			
(a) State Revenue Administration Program			46,679,290
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	250,000		
As provided in Section 40-7-70, Code of Alabama 1975, to maintain a program for the equalization of ad valorem tax assessments.			
(2) State General Fund-Transfer-Boards of Equalization	124,442		
(3) Transfers from the proceeds of the following:			
(a) Cigarette Tax Collections		845,405	
As provided in Section 40-25-2 and Section 40-25-23, Code of Alabama 1975, as amended.			
(b) Financial Institution Excise Tax Collections		219,104	
(c) Forest Severance Tax Collections		80,694	
(d) Gasoline Tax Collections		3,836,244	
(e) Income Tax Collections		13,019,399	
(f) Motor Fuel Tax Collections		799,538	
(g) Motor Vehicle License Collections		1,733,613	
(h) Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax		530,463	
(i) Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax		1,306,937	
(j) Sales Tax Collections		11,485,670	
(k) Tobacco Tax Collections		34,595	
(l) Use Tax Collections		1,256,966	
(m) Utility Tax Collections		2,790,695	
As provided in Section 40-21-1, Code of Alabama 1975.			
(4) Local Funds		5,500,442	
(5) Transfer from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags		2,365,083	
(6) Inspection fees for restored vehicles		500,000	

As provided in Section 32-8-87 (1), Code of Alabama 1975, as amended.			
The amounts hereinabove appropriated for the cost of maintenance and operations of the Department of Revenue are in lieu of any other statutory provisions for the payment of the cost of operating said Department or collections of the taxes as authorized by law.			
Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses.			
Total Department of Revenue	374,442	46,304,848	46,679,290
97. SECRETARY OF STATE:			
(a) Administrative Support Services Program			772,734
SOURCE OF FUNDS:			
(1) State General Fund	740,770		
(2) State General Fund-State House Rent	31,964		
Total Secretary of State	772,734		772,734

In addition to the above appropriation to the Secretary of State, there is hereby conditionally appropriated the amount of $100,000 to be transferred from the State Banking Department, notwithstanding the provisions of Title 5, Chapter 2A, Sections 20 and 24 of the Code of Alabama 1975, and the amount of $409,400 from Uniform Commercial Code and Farm Products Central Index System Fees, both to be conditioned upon the passage of the Uniform Commercial Code and Farm Products Central Index System Fee adjustment bill in the 1987 Regular Session of the Legislature, upon availability of funds in the Uniform Commercial Code and Farm Products Central Index System Fund and upon the approval of the Governor. Not more than $15,000 of the above appropriation from the Uniform Commercial Code and Farm Products Central Index System Fund shall

be expended at the discretion of the Secretary of State to conduct user and public training relating to the Uniform Commercial Code and Farm Products Central Index System Program.			
98. SECURITIES COMMISSION:			
(a) Regulatory Services Program			887,631
SOURCE OF FUNDS:			
(1) State General Fund	462,124		
(2) Industrial Development Bond Notification Fund		203,507	
(3) Sale of Checks License Fund		7,000	
(4) Exemption Fund		215,000	
Total Securities Commission	462,124	425,507	887,631
99. SENIOR CITIZENS HALL OF FAME, ALABAMA:			
(a) Historical Resources Management Program			22,681
To be expended in accordance with Section 41-9-740 et seq., Code of Alabama 1975, as amended.			
SOURCE OF FUNDS:			
(1) State General Fund	22,681		
Total Alabama Senior Citizens Hall of Fame	22,681		22,681
100. SOCIAL WORK EXAMINERS, ALABAMA STATE BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			46,714
SOURCE OF FUNDS:			
(1) Alabama State Board of Social Work Examiners Fund		46,714	
As provided in Section 34-30-6, Code of Alabama 1975, as amended.			
Total Alabama State Board of Social Work Examiners		46,714	46,714
101. SOIL AND WATER CONSERVATION COMMITTEE, STATE:			
(a) Water Resource Development Program			1,149,681
(b) Professional and Occupational Licensing and Regulation Program			3,000
SOURCE OF FUNDS:			
(1) State General Fund	1,129,681		

(2) Soil Classifiers Fund		3,000	
As provided in Section 34-32-19, Code of Alabama 1975, as amended.			
(3) Transfer from Agricultural and Conservation Development Commission		20,000	
Total State Soil and Water Conservation Committee	1,129,681	23,000	1,152,681
102. SOUTHERN GROWTH POLICIES BOARD:			
(a) Special Services Program			27,830
SOURCE OF FUNDS:			
(1) State General Fund	27,830		
Total Southern Growth Policies Board	27,830		27,830
103. SPACE SCIENCE EXHIBIT COMMISSION, ALABAMA:			
(a) Tourism and Travel Promotion Program			95,000
SOURCE OF FUNDS:			
(1) State General Fund	95,000		
Total Alabama Space Science Exhibit Commission	95,000		95,000
104. SPEECH PATHOLOGY AND AUDIOLOGY, ALABAMA BOARD OF EXAMINERS FOR:			
(a) Professional and Occupational Licensing and Regulation Program			24,820
SOURCE OF FUNDS:			
(1) Alabama Board of Examiners for Speech Pathology and Audiology Fund		24,820	
As provided in Section 34-28A-44, Code of Alabama 1975.			
Total Alabama Board of Examiners for Speech Pathology and Audiology		24,820	24,820
105. SPORTS HALL OF FAME, ALABAMA:			
(a) Historical Resources Management Program			136,850

SOURCE OF FUNDS:			
(1) State General Fund	136,850		
Total Alabama Sports Hall of Fame	136,850		136,850
106. SURFACE MINING COMMISSION, ALABAMA:			
(a) Industrial Safety and Accident Prevention Program			3,606,277
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	200,000		
(2) Surface Mining Commission Fund		3,406,277	
As provided by Section 9-16-103, Code of Alabama 1975, as amended. All fees and charges, grants, gifts, fines, bond forfeitures or other monies received under the above act, in addition to the appropriation herein made, are appropriated to the Surface Mining Commission.			
Total Alabama Surface Mining Commission	200,000	3,406,277	3,606,277
107. TANNEHILL FURNACE AND FOUNDRY COMMISSION:			
(a) Historical Resources Management Program			221,531
(b) Capital Outlay			25,000
SOURCE OF FUNDS:			
(1) State General Fund	221,531		
(2) State General Fund-Capital Outlay	25,000		
Total Tannehill Furnace and Foundry Commission	246,531		246,531
108. TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY:			
(a) Water Resource Development Program			105,000
SOURCE OF FUNDS:			
(1) State General Fund	105,000		
Total Tennessee-Tombigbee Waterway Development Authority	105,000		105,000
109. TENNESSEE VALLEY EXHIBIT COMMISSION OF ALABAMA:			
(a) Promotional Development Program			68,044
To be expended in accordance with Sections 41-9-780 et seq., Code of Alabama 1975, as amended.			

SOURCE OF FUNDS:			
(1) State General Fund	68,044		
Total Tennessee Valley Exhibit Commission of Alabama	68,044		68,044
110. TOURISM AND TRAVEL, BUREAU OF:			
(a) Tourism and Travel Promotion Program			4,546,638
(b) Grants and Benefits Program			565,000
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	1,411,638		
(2) Lodgings Tax ($0.01)		3,700,000	
Receipts collected under the provisions of Section 40-26-1 et seq., Code of Alabama 1975, as amended.			
Total Bureau of Tourism and Travel	1,411,638	3,700,000	5,111,638
111. TREASURER, STATE:			
(a) Fiscal Management Program			1,544,722
SOURCE OF FUNDS:			
(1) State General Fund	1,448,353		
(2) State General Fund-State House Rent	96,369		
Total State Treasurer	1,544,722		1,544,722
112. UNIFORM STATE LAWS, ALABAMA COMMISSION ON:			
(a) Special Services Program, Estimated			4,536
SOURCE OF FUNDS:			
(1) State General Fund	4,536		
As provided in Section 41-9-374, Code of Alabama 1975.			
Total Alabama Commission on Uniform State Laws	4,536		4,536
113. VETERANS' AFFAIRS, DEPARTMENT OF:			
(a) Administration of Veterans' Affairs Program			2,689,403
SOURCE OF FUNDS:			
(1) State General Fund	2,689,403		

Total Department of Veterans' Affairs	2,689,403		2,689,403
114. VETERINARY MEDICAL EXAMINERS, ALABAMA STATE BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			145,000
SOURCE OF FUNDS:			
(1) State Board of Veterinary Medical Examiners Fund		145,000	
As provided in Section 34-29-23 and Section 34-29-41, Code of Alabama 1975, as amended.			
Total Alabama State Board of Veterinary Medical Examiners		145,000	145,000
115. WOMEN'S COMMISSION, ALABAMA:			
(a) Employment and Social Opportunities Program			9,980
SOURCE OF FUNDS:			
(1) State General Fund	9,980		
Total Alabama Women's Commission	9,980		9,980
116. WOMEN'S HALL OF FAME, ALABAMA:			
(a) Historical Resources Management Program			5,444
SOURCE OF FUNDS:			
(1) State General Fund	5,444		
Total Alabama Women's Hall of Fame	5,444		5,444
2D. OTHER FUNCTIONS OF GOVERNMENT FUNDED FROM THE STATE GENERAL FUND:			
1. ADVERTISING LANDS FOR TAX SALE:			
(a) State Revenue Administration Program, Estimated			60,000
SOURCE OF FUNDS:			
(1) State General Fund	60,000		

As provided in Section 40-10-22, Code of Alabama 1975.		
Total Advertising Lands for Tax Sale	60,000	60,000
2. ARREST OF ABSCONDING FELONS:		
(a) Criminal Investigation Program, Estimated		65,000
SOURCE OF FUNDS:		
(1) State General Fund	65,000	
As provided in Section 15-9-3, Code of Alabama 1975.		
Total Arrest of Absconding Felons	65,000	65,000
3. ATTORNEYS' FEES FOR REAPPORTIONMENT CASES:		
(a) Legal Advice and Legal Services Program, Estimated		50,000
SOURCE OF FUNDS:		
(1) State General Fund	50,000	
Total Attorneys' Fees for Reapportionment Cases	50,000	50,000
4. AUTOMATIC APPEAL EXPENSE:		
(a) Legal Advice and Legal Services Program, Estimated		100
SOURCE OF FUNDS:		
(1) State General Fund	100	
As provided in Section 12-22-150 and Section 12-22-241, Code of Alabama 1975.		
Total Automatic Appeal Expense	100	100
5. CIVIL COURT COSTS IN CONNECTION WITH AD VALOREM TAX ASSESSMENTS APPEALS:		
(a) State Revenue Administration Program, Estimated		200
SOURCE OF FUNDS:		
(1) State General Fund	200	
As provided in Section 40-7-45, Code of Alabama 1975.		
Total Civil Court Costs in Connection with Ad Valorem Tax Assessments Appeals	200	200
6. CONSUMER UTILITY RATE HEARING:		
(a) Executive Direction Program		250,000
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	250,000	

As provided in Section 37-1-18 Code of Alabama 1975, as amended.		
Total Consumer Utility Rate Hearing	250,000	250,000
7. COURT COSTS NOT OTHERWISE PROVIDED FOR:		
(a) Court-Assessed Costs Provided by Law for Which No Other Appropriations are Made-Special Services Program, Estimated		800,000
It is the intent of the Legislature that the above appropriation be expended only for costs assessed by state and federal courts and specifically excludes any attorney fees, court judgments or out-of-court settlements except those provided in Code of Alabama 1975, Section 22-52-14.		
(b) Court-Assessed Attorney Fees in Cases Where the State is a Defendant-Legal Advice and Legal Services Program		200,000
It is the intent of the Legislature that the above appropriation be released only at the direction of the Governor for statewide court cases.		
SOURCE OF FUNDS:		
(1) State General Fund, Estimated	800,000	
(2) State General Fund	200,000	
Total Court-Assessed Costs Not Otherwise Provided For	1,000,000	1,000,000
8. COURT COSTS-ACT NO. 558, 1957:		
(a) Court Operations Program, Estimated		500
SOURCE OF FUNDS:		
(1) State General Fund	500	
Pursuant to Act No. 558, 1957, page 777.		
Total Court Costs-Act No. 558, 1957	500	500
9. DISTRIBUTION OF PUBLIC DOCUMENTS:		
(a) Administrative Support Services Program, Estimated		80,000
SOURCE OF FUNDS:		
(1) State General Fund	80,000	
As provided in Sections 41-21-8 and 36-14-11, Code of Alabama 1975.		

Total Distribution of Public Documents	80,000	80,000
10. STATE DOCKS TRANSFER		3,500,000
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	3,500,000	
The above appropriation to the State Docks shall be conditional upon the availability of funds and shall remain in the State General Fund until a demonstrated need is determined and recommended by the Finance Director and approved by the Governor.		
Total State Docks Transfer	3,500,000	3,500,000
11. ELECTION EXPENSES:		
(a) Special Services Program, Estimated		2,000,000
SOURCE OF FUNDS:		
(1) State General Fund	2,000,000	
As provided in Section 17-4-153, Code of Alabama 1975.		
Total Election Expenses	2,000,000	2,000,000
12. EMERGENCY FUND, DEPARTMENTAL:		
(a) Special Services Program		2,000,000
SOURCE OF FUNDS:		
(1) State General Fund	2,000,000	
This is the appropriation contemplated in Section 41-4-94, Code of Alabama 1975, and shall be the only amount appropriated and the total amount expended under the provisions of said section. This appropriation shall be expended solely for the purpose of addressing a financial emergency within a state department, board, commission, bureau, office, or agency. None of the above appropriation may be transferred to the Governor's Contingency Fund.		
Total Departmental Emergency Fund	2,000,000	2,000,000
13. FEEDING OF PRISONERS:		
(a) Institutional Services, Corrections Program, Estimated		3,000,000
SOURCE OF FUNDS:		
(1) State General Fund	3,000,000	

For expenses of feeding prisoners in county jails in accordance with Section 14-6-42, Code of Alabama 1975.			
Total Feeding of Prisoners	3,000,000		3,000,000
14. DEPARTMENT OF FINANCE-EMPLOYEES' SUGGESTION AWARDS PROGRAM:			
(a) Fiscal Management Program			10,000
SOURCE OF FUNDS:			
(1) State General Fund	10,000		
In accordance with Section 36-1-7, Code of Alabama 1975, as amended.			
Total Department of Finance-Employees' Suggestion Awards Program	10,000		10,000
15. DEPARTMENT OF FINANCE-FEMA:			
(a) Readiness and Recovery Program, Estimated			1,866,090
Payments of the State's share of administrative costs and matching grants furnished by the Federal Emergency Management Agency.			
SOURCE OF FUNDS:			
(1) State General Fund	1,866,090		
Total Department of Finance-FEMA	1,866,090		1,866,090
16. DEPARTMENT OF FINANCE:			
A. Data Systems Management and Telephone Revolving Fund			
(a) Administrative Support Services Program			31,524,870
SOURCE OF FUNDS:			
(1) State General Fund	424,370		
(2) State General Fund Transfer-	2,400,000		
(3) ASETF-Transfer		6,700,000	
(4) Collections from Other State Agencies-Data Systems		13,996,000	
(5) Collections From Other State Agencies-Telephone Revolving Fund		8,004,500	
Total Data Systems Management and Telephone Revolving Fund	2,824,370	28,700,500	31,524,870
In addition to the above appropriation to Data Systems Management and Telephone Revolving Fund, there is hereby appropriated $7,004,000 from			

Collections from Other State Agencies-Data Systems and $1,995,500 from Collections from Other State Agencies-Telephone Revolving Fund to be conditioned upon the availability of funds and the approval of the Governor.		
B. Alabama Building Finance Authority		
(a) Administrative Support Services Program		1,031,985
SOURCE OF FUNDS:		
(1) Alabama Building Finance Authority Operating Fund	1,031,985	
Total Alabama Building Finance Authority	1,031,985	1,031,985
In addition to the above appropriation to the Alabama Building Finance Authority, there is hereby appropriated $1,068,015 to be conditioned upon the availability of funds to the Alabama Building Finance Authority and the approval of the Governor.		
C. Capitol Complex Maintenance and Repair		
(a) Administrative Support Services Program		3,005,799
SOURCE OF FUNDS:		
(1) Capitol Complex Revolving Fund	3,005,799	
Total Capitol Complex Maintenance and Repair	3,005,799	3,005,799
In addition to the above appropriation to the Capitol Complex Maintenance and Repair, there is hereby appropriated $2,294,201 to be conditioned upon the availability of funds to the Capitol Complex Maintenance and Repair Fund and the approval of the Governor.		
D. Alabama Building Authority		
(a) Administrative Support Services Program		1,053,941
SOURCE OF FUNDS:		
(1) Alabama Building Authority Operating Fund	1,053,941	
Total Alabama Building Authority	1,053,941	1,053,941
In addition to the above appropriation to the Alabama Building Authority,		

there is hereby appropriated $846,059 to be conditioned upon the availability of funds to the Alabama Building Authority Fund and the approval of the Governor.		
E. Mail and Supply Room		
(a) Administrative Support Services Program		4,195,944
SOURCE OF FUNDS:		
(1) State Agencies-Invoiced for Postage, Supplies and Operational Expenses	4,195,944	
Total Mail and Supply Room	4,195,944	4,195,944
In addition to the above appropriation to the Mail and Supply Room, there is hereby appropriated $1,104,056 to be conditioned upon the availability of funds to the Mail and Supply Room Fund and the approval of the Governor.		
F. Motor Pool		
(a) Administrative Services Program		1,811,214
SOURCE OF FUNDS:		
(1) Motor Pool Revolving Fund	1,811,214	
Total Motor Pool	1,811,214	1,811,214
In addition to the above appropriation to the Motor Pool, there is hereby appropriated $2,188,786 to be conditioned upon the availability of funds to the Motor Pool Revolving Fund and the approval of the Governor.		
G. Printing and Publications		
(a) Administrative Support Services Program		4,559,024
SOURCE OF FUNDS:		
(1) State Agencies (Accounts Receivable Billings)	4,559,024	
Total Printing and Publications	4,559,024	4,559,024
In addition to the above appropriation to Printing and Publications, there is hereby appropriated $1,340,976 to be conditioned upon the availability of funds to the Printing and Publications' Fund and the approval of the Governor.		

The above appropriations to the Department of Finance-A. Data Systems Management and Telephone Revolving Fund; B. Alabama Building Finance Authority; C. Capitol Complex Maintenance and Repair; D. Alabama Building Authority; E. Mail and Supply Room; F. Motor Pool; and G. Printing and Publications are to be in lieu of any appropriations heretofore made in other sections of the Alabama Statutes and shall be the maximum amount to be expended for said functions.		
17. FOREST FIRE FUND, EMERGENCY:		
(a) Forest Resources Protection Program		180,000
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	180,000	
As provided by Section 9-3-10.0, Code of Alabama 1975.		
Total Emergency Forest Fire Fund	180,000	180,000
18. GOVERNOR'S CONFERENCE, NATIONAL:		
(a) Executive Direction Program		101,800
SOURCE OF FUNDS:		
(1) State General Fund	101,800	
Total National Governor's Conference	101,800	101,800
19. GOVERNOR'S COUNCILLOR:		
(a) Executive Direction Program, Estimated		26,000
SOURCE OF FUNDS:		
(1) State General Fund	26,000	
As provided in Section 36-13-13, Code of Alabama 1975 as amended.		
Total Governor's Councillor	26,000	26,000
20. GOVERNOR'S PROCLAMATION EXPENSES:		
(a) Executive Direction Program, Estimated		250,000
SOURCE OF FUNDS:		
(1) State General Fund	250,000	
As provided in Section 17-14-21, Code of Alabama 1975.		

Total Governor's Proclamation Expenses	250,000	250,000
21. GOVERNORS' WIDOWS RETIREMENT:		
(a) Executive Direction Program, Estimated		14,400
SOURCE OF FUNDS:		
(1) State General Fund	14,400	
As provided in Section 36-13-12, Code of Alabama 1975.		
Total Governors' Widows Retirement	14,400	14,400
22. INTERPRETER'S ACCOUNT:		
(a) Court Operations Program, Estimated		2,500
SOURCE OF FUNDS:		
(1) State General Fund	2,500	
As provided in Sections 12-21-131 et seq., Code of Alabama 1975.		
Total Interpreter's Account	2,500	2,500
23. LAW ENFORCEMENT FUND:		
(a) Criminal Investigation Program		2,500
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	2,500	
As provided in Section 28-4-312, Code of Alabama 1975.		
Total Law Enforcement Fund	2,500	2,500
24. LAW ENFORCEMENT LEGAL DEFENSE:		
(a) Legal Advice and Legal Services Program, Estimated		3,000
SOURCE OF FUNDS:		
(1) State General Fund	3,000	
To carry out provisions of Section 36-21-1, Code of Alabama 1975.		
Total Law Enforcement Legal Defense	3,000	3,000
25. LIABILITY INSURANCE FUND, STATE		1,000,000
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	1,000,000	

As provided in Section 36-1-6.1, Code of Alabama 1975.		
Total State Liability Insurance Fund	1,000,000	1,000,000
Of the above appropriation $40,000 is hereby appropriated to the Liability Insurance Board for administrative expenses.		
26. MAILING TAX NOTICES:		
(a) State Revenue Administration Program, Estimated		100
SOURCE OF FUNDS:		
(1) State General Fund	100	
As provided in Section 40-7-25, Code of Alabama 1975.		
Total Mailing Tax Notices	100	100
27. MILITARY-EMERGENCY ACTIVE DUTY PAY:		
(a) Military Operations Program, Estimated		200,000
SOURCE OF FUNDS:		
(1) State General Fund	200,000	
As provided in Section 31-2-85, Code of Alabama 1975.		
Total Military-Emergency Active Duty Pay	200,000	200,000
28. POLICEMAN'S SURVIVOR TUITION ACT:		
(a) Support of Other Educational Activities Program, Estimated		5,000
SOURCE OF FUNDS:		
(1) State General Fund	5,000	
As provided in Sections 36-21-95 through 36-21-99, Code of Alabama 1975.		
Total Policeman's Survivor Tuition Act	5,000	5,000
29. PRESIDENTIAL ELECTORAL EXPENSE:		
(a) Administrative Support Services Program, Estimated		2,000
SOURCE OF FUNDS:		
(1) State General Fund	2,000	

As provided in Section 17-19-8, Code of Alabama 1975.		
Total Presidential Electoral Expense ..	2,000	2,000
30. PRINTING OF CODE SUPPLEMENTS-LEGISLATIVE REFERENCE SERVICE:		
(a) Legislative Operations and Support Program, Estimated		500,000
SOURCE OF FUNDS:		
(1) State General Fund	500,000	
As provided in Section 29-7-6, Code of Alabama 1975.		
Total Printing of Code Supplements-Legislative Reference Service	500,000	500,000
31. PRINTING CODES AND SUPPLEMENTS-SECRETARY OF STATE:		
(a) Administrative Support Services Program, Estimated		165,000
SOURCE OF FUNDS:		
(1) State General Fund	165,000	
As provided in Sections 41-21-1 and 41-21-154, Code of Alabama 1975.		
Total Printing Codes and Supplements-Secretary of State	165,000	165,000
32. PRINTING OF LEGISLATIVE ACTS AND JOURNALS:		
(a) Administrative Support Services Program, Estimated		500,000
SOURCE OF FUNDS:		
(1) State General Fund	500,000	
As provided in Sections 41-4-130 through 41-4-161, Code of Alabama 1975.		
Total Printing of Legislative Acts and Journals	500,000	500,000
33. PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES:		
(a) State Revenue Administration Program, Estimated		25,000
SOURCE OF FUNDS:		
(1) State General Fund	25,000	

Total Printing of State and County Privilege Licenses	25,000		25,000
34. REGISTRATION OF VOTERS:			
(a) Special Services Program, Estimated			1,000,000
SOURCE OF FUNDS:			
(1) State General Fund	1,000,000		
In accordance with Sections 17-4-126 and 17-4-153, Code of Alabama 1975, as amended.			
Total Registration of Voters	1,000,000		1,000,000
35. REMOVAL OF PRISONERS:			
(a) Administrative Services and Logistical Support Program, Estimated			300,000
SOURCE OF FUNDS:			
(1) State General Fund	300,000		
As provided in Sections 14-6-7 through 14-6-10 and 36-22-22, Code of Alabama 1975.			
Total Removal of Prisoners	300,000		300,000
36. STATE GENERAL FUND, ESTIMATED			56,600,000
SOURCE OF FUNDS:			
(1) Heritage Trust Income Fund Transfer, Estimated		56,600,000	
All income other than income realized on sale of Trust Fund assets and not otherwise appropriated herein.			
Total State General Fund, Estimated		56,600,000	56,600,000
37. STATE TREASURER-PREVIOUS YEAR'S UNPAID WARRANTS:			
(a) Special Services Program, Estimated			200,000
SOURCE OF FUNDS:			
(1) State General Fund	200,000		
As provided in Section 41-4-60, Code of Alabama 1975.			
Total State Treasurer-Previous Year's Unpaid Warrants	200,000		200,000
38. REPAYMENT-ACT 86-645, AS AMENDED, FUND NO. 305735			8,000,000

SOURCE OF FUNDS:		
(1) State General Fund	8,000,000	
Total Repayment-Act 86-645, As Amended, Fund No. 305735	8,000,000	8,000,000
2E. DEBT SERVICE FUNDED FROM THE STATE GENERAL FUND:		
1. General Obligation Capital Improvement Bonds, Series B, Estimated		956,500
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	956,500	
Total General Obligation Capital Improvement Bonds, Series B, Estimated	956,500	956,500
2. General Obligation Coosa Waterway Bonds, Series A and B, Estimated		1,020,020
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	1,020,020	
Total General Obligation Coosa Waterway Bonds, Series A and B, Estimated	1,020,020	1,020,020
3. General Obligation Docks Facilities Bonds, Series A-C, Estimated		4,361,250
SOURCE OF FUNDS:		
(1) State General Fund-Transfer	4,361,250	
Total General Obligation Docks Facilities Bonds, Series A-C, Estimated	4,361,250	4,361,250
4. Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated		3,539,460
SOURCE OF FUNDS:		
(1) State General Fund-Transfer, Estimated	3,539,460	
Pursuant to Constitutional Amendment No. 270 as provided in Act No. 248, 1967 Regular Session.		
Total Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated	3,539,460	3,539,460
5. Corrections Institution Bonds, Estimated		1,889,500
SOURCE OF FUNDS:		
(1) State General Fund-Transfer, Estimated	1,889,500	

Pursuant to Constitutional Amendment No. 374 as provided for in Act No. 134, 1978 Second Special Session.			
Total Corrections Institution Bonds, Estimated	1,889,500		1,889,500
6. General Obligation Capital Bonds, 1982, Series A and B, and General Obligation Refunding Bonds, 1983, Series A and B, Estimated			66,656,522
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	66,656,522		
Total General Obligation Capital Bonds, 1982, Series A and B, and General Obligation Refunding Bonds, 1983, Series A and B, Estimated	66,656,522		66,656,522
2F. ADDITIONAL APPROPRIATIONS:			
1. ACADEMY OF HONOR, ALABAMA:			
(a) Historical Resources Management Program			1,013
SOURCE OF FUNDS:			
(1) ASETF-Transfer		1,013	
Total Alabama Academy of Honor		1,013	1,013
2. ARTS AND HUMANITIES, ALABAMA STATE COUNCIL ON THE:			
(a) Fine Arts Program			1,854,020
SOURCE OF FUNDS:			
(1) ASETF-Transfer		1,319,020	
(2) Federal and Local Funds		535,000	
Total Alabama State Council on the Arts and Humanities		1,854,020	1,854,020
3. BUILDING COMMISSION, STATE:			
(a) Special Services Program			450,000
SOURCE OF FUNDS:			
(1) ASETF-Transfer		450,000	
Total State Building Commission		450,000	450,000
4. DEPARTMENT OF EDUCATION:			
(a) Direct Client Services for the Handicapped			49,235,546
The ASETF monies included in the above program are to be distributed			

by the Department of Education as follows:		
Crippled Children Services Program 5,220,313		
Hemophilia Program 296,520		
Homebound Program 4,000,000		
Rehabilitation Services Program 7,073,843		
Of the above appropriation to Rehabilitation Services Program, $250,000 shall be used for the Deaf Support Service Program.		
SOURCE OF FUNDS:		
(1) ASETF	16,590,676	
(2) Federal and Local Funds	32,644,870	
Total Direct Client Services for the Handicapped	49,235,546	49,235,546
(b) Projects-Vocational Rehabilitation/Crippled Children Services Program		1,300,624
The ASETF monies included in the above program are to be distributed by the Department of Education as follows:		
Eye Injury Register 19,380		
SOURCE OF FUNDS:		
(1) ASETF	19,380	
(2) Federal and Local Funds	1,281,244	
Total Projects-Vocational Rehabilitation/Crippled Children Services Program	1,300,624	1,300,624
(c) Disability Determination for Social Security Program		20,654,654
SOURCE OF FUNDS:		
(1) Federal and Local Funds	20,654,654	
Total Disability Determination for Social Security Program	20,654,654	20,654,654
GRAND TOTAL-DEPARTMENT OF EDUCATION	71,190,824	71,190,824
5. EXAMINERS OF PUBLIC ACCOUNTS:		
(a) Legislative Support-Audit Services Program		4,037,924
For purposes of auditing all phases of public education.		

SOURCE OF FUNDS:		
(1) ASETF-Transfer	4,037,924	
Total Examiners of Public Accounts	4,037,924	4,037,924
6. FIREFIGHTERS' PERSONNEL STANDARDS AND EDUCATION COMMISSION, ALABAMA:		
(a) Professional and Occupational Licensing and Regulation Program		149,229
SOURCE OF FUNDS:		
(1) ASETF-Transfer	149,229	
Total Alabama Firefighters' Personnel Standards and Education Commission	149,229	149,229
7. LAW INSTITUTE, ALABAMA:		
(a) Support of Other Educational Activities Program		293,622
SOURCE OF FUNDS:		
(1) ASETF	293,622	
Total Alabama Law Institute	293,622	293,622
8. LEGISLATURE:		
(a) Legislative Operations and Support Program		4,510,000
SOURCE OF FUNDS:		
(1) ASETF-Transfer	4,510,000	
Total Legislature	4,510,000	4,510,000
The above appropriation shall be expended under the provisions set forth in Code of Alabama 1975, as amended, Section 29-1-22.		
9. LIBRARY SERVICE, ALABAMA PUBLIC:		
(a) Public Library Service Program		6,668,211
Of the above appropriation, a total of $10,000 is hereby appropriated for the purchase of TTY/TDD equipment for the hearing impaired. Said appropriation shall be distributed by the Alabama Public Library Service Board based on need to those regional libraries submitting project applications for said equipment.		
SOURCE OF FUNDS:		
(1) ASETF	5,186,765	

(2) Federal and Local Funds	1,481,446	
Total Alabama Public Library Service	6,668,211	6,668,211
10. NURSING, ALABAMA BOARD OF:		
(a) Professional and Occupational Licensing and Regulation Program		1,016,304
SOURCE OF FUNDS:		
(1) ASETF-Transfer-as provided in Code of Alabama 1975, as amended, Sections 34-21-60 through 34-21-63	57,000	
(2) Alabama Board of Nursing Trust Fund-as provided in Code of Alabama 1975, as amended, Sections 34-21-1 through 34-21-43	959,304	
Total Alabama Board of Nursing	1,016,304	1,016,304
11. PHYSICAL FITNESS, COMMISSION ON:		
(a) Advisory Services Program		219,955
SOURCE OF FUNDS:		
(1) ASETF	219,866	
(2) Federal and Local Funds	89	
Total Commission on Physical Fitness	219,955	219,955
12. SPACE SCIENCE EXHIBIT COMMISSION:		
(a) Special Services Program		300,000
SOURCE OF FUNDS:		
(1) ASETF	300,000	
Total Space Science Exhibit Commission	300,000	300,000
13. DEPARTMENT OF YOUTH SERVICES:		
(a) Youth Services Program		12,708,060

The above appropriation for Youth Services Program includes $11,578,942 of ASETF monies. Of the above appropriation, $200,000 shall be used for pilot programs in day treatment. The above appropriation shall be expended in accordance with the provisions of the Code of Alabama 1975, as amended, Sections 44-1-1 through 44-1-56.

(b) Capital Outlay		300,000
(c) Southeast Alabama Youth Services System (Dothan)-Capital Outlay		200,000
SOURCE OF FUNDS:		
(1) ASETF	12,078,942	
(2) Federal and Local Funds	1,129,118	
Total Department of Youth Services	13,208,060	13,208,060
14. SMALL BUSINESS DEVELOPMENT CONSORTIUM, ALABAMA:		
(a) Operations and Maintenance	1,512,201	1,512,201
(b) Small Business Procurement System	90,000	90,000
SOURCE OF FUNDS:		
(1) ASETF	503,701	
(2) Federal and Local Funds	1,098,500	
Total Alabama Small Business Development Consortium	1,602,201	1,602,201
15. HEALTH, DEPARTMENT OF PUBLIC:		
(a) Health Support Services Program		2,515,469
Of the above appropriation, $302,130 shall be expended for the continuation of the programs in Public School Food Sanitation.		
(b) Personal Health Improvement Program		4,024,920
Of the above appropriation, $2,024,920 shall be expended for continuation of the programs for immunization of pre-school children and students, dental health and nursing services.		
Of the above appropriation, $2,000,000 shall be expended for the continuation of a perinatal program whose expenditure guidelines shall be developed in conjunction with the Perinatal Advisory Committee of the State Committee on Public Health. Such guidelines shall be comprehensive enough to serve as a statewide perinatal plan in meeting federal matching requirements.		
(c) Administrative Services Program		699,863
The above appropriation shall be expended for the continuation of the		

program in Primary Preventive Health Education.		
SOURCE OF FUNDS:		
(1) ASETF-Transfer	7,240,252	
Total Department of Public Health	7,240,252	7,240,252
16. ECONOMIC AND COMMUNITY AFFAIRS, ALABAMA DEPARTMENT OF:		
(a) Grants and Benefits Program		1,204,296
SOURCE OF FUNDS:		
(1) ASETF-Transfer	1,204,296	
Total Alabama Department of Economic and Community Affairs	1,204,296	1,204,296
17. MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF:		
(a) Grants and Benefits Program		6,783
SOURCE OF FUNDS:		
(1) ASETF-Transfer	6,783	
Total Department of Mental Health and Mental Retardation	6,783	6,783
18. PROSECUTION SERVICES, OFFICE OF:		
(a) Grants and Benefits Program		152,327
SOURCE OF FUNDS:		
(1) ASETF-Transfer	152,327	
Total Office of Prosecution Services	152,327	152,327

SECTION 3. That, except as may be herein otherwise provided, amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except as may be provided for under Sections 5 and 6 of this bill, as provided in the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975, and those appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Sections 41-4-80 et seq., Code of Alabama 1975, as amended, and the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975.

SECTION 4. That any surplus remaining in any appropriation herein made from the State General Fund to any office, department, bureau, board, commission or agency may be transferred, on order of the Governor, to any other appropriation herein made from the State General Fund when such appropriation to any office, department, bureau, board, commission, or agency is insufficient to pay salaries in that office, department, bureau, board, commission or agency.

SECTION 5. In addition to appropriations herein made, all gifts, grants, contributions, entitlements, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made. Notwithstanding any laws to the contrary, any receipts during FY 1987-88 which exceed an amount of up to 1% of such FY state revenue receipts or up to $100,000, whichever is greater, to any state fund or from any state revenue source that exceed the amount appropriated by this Act to any state fund, department, agency, division, board, bureau, commission, institution, or office with the exception of revenue to the Real Estate Commission; the Board of Cosmetology; the Department of Finance-A. Data Systems Management and Telephone Revolving Fund; B. Alabama Building Finance Authority; C. Capitol Complex Maintenance and Repair; D. Alabama Building Authority; E. Mail and Supply Room; F. Motor Pool; and G. Printing and Publications; and funds constitutionally earmarked for construction and maintenance of public roads and bridges shall be transferred to the State General Fund within thirty (30) days after September 30, 1988. Further, all state, county, municipal and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama 1975.

SECTION 6. Under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, any interest earned by the State thereon, together with any accruals or reversions accruing from Revenue Sharing Investments are hereby appropriated to the State General Fund.

SECTION 7. All encumbered balances of a previous fiscal year appropriation other than the exclusions authorized in Section 41-4-93, Code of Alabama 1975, shall lapse on September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the State General Fund or the trust fund from which the appropriation or appropriations were made.

SECTION 8. The appropriations made herein to the departments, boards, offices, commissions, and agencies include the amount necessary and said departments, boards, offices, commissions, and agencies are hereby directed to make the transfer of funds to the State Personnel Department in the amounts enumerated in Section 2C, Subsection 88.

SECTION 9. That, if any section, paragraph, sentence, clause, provision, or portion of this Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

SECTION 10. That all laws and parts of laws, general, special, private, or local in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

SECTION 11. That each Department of the State funded through the provisions of this budget shall provide an equal opportunity for employment and business opportunities for all citizens of this state without regard to sex or race.

SECTION 12. That this Act shall become effective October 1, 1987.

REPORT OF COMMITTEE ON CONFERENCE ADOPTED

On motion of Rep. Harper, the House concurred in and adopted the Report of the new Committee on Conference appointed to reconcile the differences between the two Houses on the bill, H. 270.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Escott, Faulk, Flowers, Frazier, Freeman, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—96

And the bill, H. 270 as amended by the Report of the new Committee on Conference, was again read at length and passed.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Dillard, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—97

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Mathis, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 253.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Mathis, Budget Isolation Resolution relating to S. B. 253, was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker, Beers, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Bryant, Bugg, Buskey (JE), Buskey (JL), Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hamilton, Harper, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Moon, Newman, Parker, Payne, Penry, Poole, Reed, Rogers, Seibels, Slaughter, Spratt, Thomas, Turner, Turnham, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—82

And the bill:

S. 253. Proposing an amendment to the Constitution of Alabama 1901, providing that all of the assets, proceeds or income of the Teachers', Employees', State Police, Public and Judicial Retirement Systems, or any successor systems thereto, and all contributions and payments made to such systems to provide for retirement and related benefits thereunder, shall be held, invested as authorized by law, or disbursed as in trust for the exclusive purpose of providing for such benefits, refunds and administrative expenses under the management of the boards of control of the aforementioned systems; and providing that none of such assets, proceeds, income, contributions or payments shall be used, loaned, encumbered or diverted to or for any other purpose whatsoever.

Was read a third time at length and passed.

Yeas 90; Nays 1.

Yeas:

Reps. Adams, Beasley, Blake, Blakeney, Bowling, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Parker, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—90

Nay: Rep. Box. —1

RULE SUSPENDED

On motion of Rep. Adams, Rule 6(1) was suspended to accept the bill, H. 1026 with Senate amendment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1026. To make an appropriation from the State General Fund to the Civil Air Patrol for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Adams, the House concurred in and adopted the Senate amendment to the bill, H. 1026, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation from the State General Fund to the Civil Air Patrol for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the fiscal year ending September 30, 1988, there is hereby appropriated to the Civil Air Patrol, from the State General Fund, the sum of forty thousand dollars ($40,000).

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1987-88, an operations plan for fiscal year 1986-87 and an audited financial statement for all operations during fiscal year 1985-86 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1987-88 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1987.

Yeas 94; Nays 1.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JL), Butler, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—94

Nay: Rep. Box. —1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 355. Relating to Jefferson County; to provide compensation for the executive assistant to the sheriff of Jefferson County; to provide additional compensation for longevity and for cost of living pay increases and to provide for and receive vacation, retirement, and sick benefits.

Also:

H. 1077. To amend Section 5-19-20, Code of Alabama 1975, relating to consumer financial transactions and to insurance offered by creditors, so as to allow creditors to offer involuntary unemployment compensation insurance to its debtors.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Grouby:

H. R. 530. COMMENDING THE HOUSE LEADERSHIP.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Richardson, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 176.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Richardson, Budget Isolation Resolution relating to S. B. 176, was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Butler, Carothers, Carter, Clark (W), Coburn, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Haynes, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, White (F), White (L), Willis, Wright and Zoghby.

—89

And the bill:

S. 176. To amend Sections 25-8-4, 25-8-8, and 25-8-16, Code of Alabama 1975, so as to bring Alabama's Child Labor statutes into agreement with

existing Federal regulations pertaining to working hours of children under age sixteen and establishes additional specific working hours for certain children enrolled in school and also provides for exemptions to established work hours.

Was read a third time at length and passed.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Butler, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—97

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 356. Relating to the City of Birmingham, Jefferson County, Alabama; providing for the election of the members of the city board of education from single-member districts.

McDOWELL LEE,
Secretary.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Cosby, Budget Isolation Resolution relating to S. B. 250, was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Buskey (JE), Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Reed,

Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (G), Williams, Willis, Wright and Zoghby.

—94

And the bill:

S. 250. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901, as amended; providing that no law whose purpose or effect is to provide for a new or increased expenditure of county funds held or disbursed by the county governing body shall become effective as to any county of this state until the first day of the fiscal year next following the passage of such law unless such law is approved by a resolution duly adopted by and spread upon the minutes of the county governing body of the county affected thereby, or such law (or other law or laws which specifically refer to such law) provides the respective county governing bodies with new or additional revenues sufficient to fund such new or increased expenditures; providing for an election thereon; and prescribing an effective date for the proposed amendment.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Buskey (JE), Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Dillard, Drake, Escott, Faulk, Ford, Frazier, Freeman, Gaston, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Lindsey, Logan, Marks, McKee, McMillan, Mikell, Moon, Newman, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), Williams, Willis, Wright and Zoghby.

—83

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Hooper, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 393.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Hooper, Budget Isolation Resolution relating to S. B. 393, was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy,

Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—92

And the bill:

S. 393. To repeal the provisions of Code of Alabama 1975, Section 5-5A-24.

Was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Butler, Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Faulk, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—89

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. White (L), the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 130.

MOTION WITHDRAWN

Rep. White (L) withdrew his motion to adopt the Budget Isolation Resolution relating to the bill, S. 130.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. White (G), the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 426.

BUDGET ISOLATION RESOLUTION

On motion of Rep. White (G), Budget Isolation Resolution relating to S. B. 426, was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blake, Blakeney, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Buskey (JE), Carothers, Carter, Clark (W),

Coburn, Cosby, Curry, Davis, Dillard, Drake, Escott, Faulk, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Haynes, Headley, Hettinger, Hill, Holley, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Perdue, Petelos, Poole, Rains, Richardson, Rogers, Seibels, Slaughter, Spratt, Turner, Warren, White (F), White (G), Williams, Wright and Zoghby.

—76

And the bill:

S. 426. To amend Section 40-18-27, Code of Alabama 1975, relating to income tax returns, so as to extend to an innocent spouse who signs a joint return without knowledge of all entries the same limited liability as granted for federal income tax purposes.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blakeney, Bowling, Britnell, Brooks, Bugg, Buskey (JE), Carothers, Carter, Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Faulk, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Newman, Parker, Payne, Petelos, Poole, Richardson, Rogers, Seibels, Slaughter, Starkey, Turner, Turnham, Venable, Warren, White (F), White (G), Willis, Wright and Zoghby.

—78

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Carothers, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 212.

SPECIAL ORDER RESUMED

BUDGET ISOLATION RESOLUTION

On motion of Rep. Carothers, Budget Isolation Resolution relating to S. B. 212, was adopted.

Yeas 74; Nays 1.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blake, Blakeney, Bowling, Box, Britnell, Carothers, Carter, Coburn, Cosby, Curry, Davis, Dillard, Drake, Faulk, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grouby, Hamilton, Harper, Harvey, Headley, Hettinger, Hill, Hogan, Holley, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McMillan, Mikell, Moon, Newman, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Richardson, Seibels,

Slaughter, Spratt, Starkey, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), Williams, Wright and Zoghby.

—74

Nay: Rep. Higginbotham. —1

And the bill:

S. 212. To amend Section 13A-6-20 of the Code of Alabama 1975, relating to assault in the first degree so as to provide further for the elements of such crime.

Was read a third time at length and passed.

Yeas 77; Nays 1.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Carothers, Carter, Coburn, Cosby, Curry, Davis, Dillard, Drake, Faulk, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grouby, Hall, Hamilton, Harper, Harvey, Headley, Hettinger, Hill, Hogan, Hooper, Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McKee, McMillan, Mikell, Moon, Newman, Payne, Penry, Petelos, Poole, Rains, Richardson, Seibels, Slaughter, Spratt, Starkey, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Wright and Zoghby.

—77

Nay: Rep. Higginbotham. —1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the Bill:

S. 233. To make certain legislative findings, to define terms for the purposes of this act; to grant certain immunity from suit and civil liability for certain officers, directors, and trustees of governing bodies of not-for-profit corporations, associations or organizations which are exempt from federal income taxation under Section 501(c) of the Internal Revenue Code of 1954, as amended; not-for-profit corporations, associations or organizations which are organized pursuant to Sections 10-3A-2, 22-51-1, 22-51-2, 22-51-3, 22-51-4, 22-51-5, 22-51-6, 22-51-7, 22-51-8, 22-51-9, 22-51-10, 22-51-11, 22-51-12, 22-51-13, and 22-51-14 of the Code of Alabama 1975, self-insured funds established pursuant to Sections 11-26-1, 11-26-2 or 11-30-2, and trade associations organized under 25-5-9, Code of Alabama 1975; and boards, authorities or commissions the members of which are appointed by the governing body or bodies of any county or municipality, or by the Governor or other constitutional officers or members of the legislature, pursuant to legislative or constitutional authorization, or the members of which are constitutionally or legislatively delegated.

said Conference Report being in words and figures as follows:

REPORT OF COMMITTEE ON CONFERENCE

Senate Bill 233

We, the Committee of Conference appointed to reconcile the differences between the two Houses concerning Senate Bill 233, have met and considered the matter referred and beg leave to report as follows:

Said Conference Committee recommends the attached Senate Bill.

Conferees on part of the House,
BETH MARIETTA,
SETH HAMMETT,
CHARLES ADAMS.

Conferees on part of the Senate,
JOHN AMARI,
BILL CABANISS,
RICK MANLEY.

A BILL
TO BE ENTITLED
AN ACT

To make certain legislative findings, to define terms for the purposes of this act; to grant certain immunity from suit and civil liability for certain officers, directors, trustees and members of governing bodies of not-for-profit corporations, associations or organizations which are exempt from federal income taxation under Section 501(c) of the Internal Revenue Code of 1954, as amended; not-for-profit corporations, associations or organizations which are organized pursuant to Sections 10-3A-1, et seq., 22-51-1, 22-51-2, 22-51-3, 22-51-4, 22-51-5, 22-51-6, 22-51-7, 22-51-8, 22-51-9, 22-51-10, 22-51-11, 22-51-12, 22-51-13 and 22-51-14 of the Code of Alabama 1975, self-insured funds established pursuant to Sections 11-26-1, 11-26-2, 11-30-2 or 25-5-9, Code of Alabama 1975, or other legal authority; and boards, authorities or commissions the members of which are appointed by the governing body or bodies of any county or municipality, or by the Governor or other constitutional officers or members of the legislature, pursuant to legislative or constitutional authorization, or the members of which are constitutionally or legislatively delegated.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The legislature finds and declares that the services of not-for-profit corporations, organizations, associations, boards, authorities and commissions are critical to the efficient conduct and management of the public, civic and charitable affairs of the citizens of this state. Non-compensated officers, directors, trustees and members of governing bodies of such not-for-profit entities must be permitted to operate without undue concern for the possibility of litigation arising from the discharge of their duties as policymakers.

Section 2. The following terms shall have the following respective meanings for the purposes of this act:

(a) QUALIFIED ENTITY—

(1) Any not-for-profit corporation, association or organization which is exempt from federal income taxation under Section 501 (c) of the Internal Revenue Code of 1954, as amended;

(2) Any not-for-profit corporation, association or organization which is organized pursuant to Section 10-3A-1, et seq., of the Code of Alabama 1975;

(3) Any organization organized under Sections 22-51-1, 22-51-2, 22-51-3, 22-51-4, 22-51-5, 22-51-6, 22-51-7, 22-51-8, 22-51-9, 22-51-10, 22-51-11, 22-51-12, 22-51-13 and 22-51-14 of the Code of Alabama 1975;

(4) Any self-insured fund established pursuant to Section 11-26-1, 11-26-2, 11-30-2 or 25-5-9 of the Code of Alabama 1975, provided, however this act shall not apply to any self-insured employer operating under Section 25-5-8, Code of Alabama 1975; and

(5) Any board, authority or commission the members of which are appointed by the governing body or bodies of any county or municipality, or by the Governor or other constitutional officer or member of the legislature pursuant to legislative or constitutional authorization, or the members of which are constitutionally or legislatively delegated.

(c) OFFICER—Any officer, director, trustee or member of the governing body of a qualified entity who does not receive compensation for serving in such capacity. A per diem amount of not more than $300 per day and actual, reasonable, and necessary expenses shall not constitute compensation for the purposes of this act. Provided, however, that the immunity granted herein shall not extend to officers and directors of any board, authority or commission dealing with pari-mutuel betting, gambling or games of chance.

Section 3. Any non-compensated officer of a qualified entity shall be immune from suit and not subject to civil liability arising from the conduct of the affairs of such qualified entity except when the act or omission of such officer, which gives rise to a cause of action, amounts to willful or wanton misconduct or fraud, or gross negligence. Provided however, such immunity shall not, except to such extent as may otherwise be provided by law, extend to the qualified entity, to a for-profit subsidiary of such qualified entity or to the officers of such for-profit subsidiary but only to the qualified entity's officers as defined in this act. Nothing contained herein shall be construed to immunize the corporate entity or qualified entity for the acts or omissions of non-compensated officers as defined in this act.

Section 4. Nothing in this act shall be construed to affect any civil action brought by any qualified entity against any officer of such qualified entity or to create any liability that did not exist prior to the act's passage or to diminish any immunity from suit or liability now enjoyed by a qualified entity or any officer thereof. The provisions of this act shall not apply to any claim, cause of action, action or suit brought against an officer for any personal injury to or death of another person or property damage arising out of an accident inflicted by that officer while acting within the line and scope of said officer's duties.

Section 5. Nothing in this act shall be construed to affect any action brought under Title 41, Chapter 5 of the Code of Alabama 1975.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this act are hereby repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. However, this act shall not apply to any causes of action that have accrued on or before the effective date of this act.

And said Bill, S. B. 233 together with the Report of the Committee on Conference, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

REPORT OF COMMITTEE ON CONFERENCE ADOPTED

On motion of Rep. Marietta, the House concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the bill, S. 233.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Buskey (JE), Buskey (JL), Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Drake, Faulk, Ford, Frazier, Freeman, Fuller, Gaston, Gray, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Parker, Payne, Penry, Petelos, Poole, Rains, Richardson, Rogers, Slaughter, Spratt, Starkey, Turner, Turnham, Venable, Walker, Warren, White (F), White (L), Williams, Wright and Zoghby.

—85

And the bill, S. 233 as amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Buskey (JE), Buskey (JL), Carothers, Carter, Clark (W), Cosby, Crow, Curry, Davis, Drake, Faulk, Ford, Frazier, Freeman, Fuller, Gaston, Gray, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Parker, Payne, Penry, Petelos, Poole, Rains, Richardson, Rogers, Slaughter, Spratt, Starkey, Turner, Turnham, Venable, Walker, Warren, White (F), White (L), Williams, Wright and Zoghby.

—85

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Penry, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 476.

BUDGET ISOLATION RESOLUTION

On motion of Rep. Penry, Budget Isolation Resolution relating to S. B. 476, was adopted.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Beers, Biddle, Blake, Blakeney, Bowling, Breedlove, Britnell, Brooks, Bryant, Bugg, Carothers, Carter, Coburn, Cosby, Crow, Curry, Davis, Drake, Faulk, Ford, Frazier, Freeman, Gaston, Goodwin, Gray, Grouby, Hall, Hamilton, Harper, Harvey, Hettinger, Hogan, Holley, Holmes, Johnson (RG), Johnson (RW), Junkins, Kennedy, Kvalheim, Laird, Layson, Lindsey, Logan, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Parker, Payne, Penry, Poole, Richardson, Rogers, Seibels, Slaughter, Starkey, Turner, Turnham, Warren, White (G), Williams, Willis, Wright and Zoghby.

—70

And the bill:

S. 476. To authorize the issuance of a summons or notice by livestock theft investigators for misdemeanor violations of livestock sanitary and disease control laws and regulations or any other laws and regulations governing the handling, movement or sale of livestock; to provide for the immediate taking into custody of persons who refuse to sign the summons or notice or to give their name and address; to provide that one who willfully fails to appear at the time and place specified in the summons commits the crime of bail jumping in the second degree.

Was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker, Adams, Beasley, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Carothers, Carter, Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Faulk, Ford, Frazier, Freeman, Gaston, Goodwin, Grayson, Grouby, Hamilton, Harper, Harvey, Headley, Hettinger, Hill, Hogan, Holley, Holmes, Johnson (RG), Junkins, Kennedy, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McDowell, McKee, McMillan, Mikell, Moon, Payne, Penry, Petelos, Poole, Reed, Richardson, Rogers, Seibels, Slaughter, Turner, Warren, White (F), White (G), Williams, Willis, Wright and Zoghby.

—70

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Grouby, the rules were suspended in order to take up out of order the Budget Isolation Resolution relating to the bill, S. 339.

MOTION TO ADOPT

Rep. Grouby offered the motion to adopt the Budget Isolation Resolution relating to the bill, S. 339.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 322. To provide that a rural electric cooperative or a gas district may terminate or decline service if an applicant or customer, or a member

of the applicant's or customer's household, is indebted to such rural electric cooperative or gas district at the present location or a former location of the applicant or customer; to provide for certain exemptions; and to provide for continuance of service by special deposits pending resolution of disputes.

Also:

H. 345. Relating to Jefferson County; to amend further Section 3 of Act No. 248, H. 580, 1945 Regular Session (Acts 1945, p. 376), pertaining to Personnel Boards of certain counties classified on a population basis, so as to provide further for the compensation of board members and the chairman for attendance of meetings of the board and for attendance upon trials or hearings.

Also:

H. 434. To amend Section 4.04 of Act No. 452, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a mayor-council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, to provide the annual salary to be paid to the mayor of such city.

Also:

H. 441. To provide members of the governing body of Class I municipalities in Alabama and all municipalities in Alabama having a population of 250,000 or more according to the last or any subsequent federal decennial census with an expense allowance for attending business of the city within the municipal corporate limits, and to repeal all laws or parts of laws in conflict herewith.

Also:

H. 442. To amend Section 3.05 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, (Acts of 1955, p. 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census.

Also:

H. 507. To amend Section 11-42-5, Code of Alabama 1975, which relates to the validation of certain prior Class 5 municipal annexations so as to bring forward the cut-off date of such prior annexations.

Also:

H. 902. To provide further for the compensation and expense allowances of the Secretary of State and State Auditor.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed

the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1134. To make an appropriation from the Alabama Special Educational Trust Fund to the Children's Hospital in Birmingham, Alabama, for the fiscal year 1987-88 and to require an operations plan and audited financial statement prior to release of any funds.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirtieth legislative day and finds the same to be correct.

TOMMY CARTER,
Chairman.

On motion of Rep. Carter, the reading at length of the Journal of the House for the thirtieth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirtieth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to wit:

H. 132. To amend Sections 40-23-4 and 40-23-62, Code of Alabama 1975, relating to exemptions from sales and use taxes, so as to provide further for the exemption of the sale of fuel and supplies for certain vessels; the materials, equipment, and machinery which become a component part of vessels; and certain equipment used in offshore federal waters.

Also:

H. 415. To provide further for the mode of consolidation of contiguous municipalities; prescribes the procedure when two or more municipalities lying contiguous to each other desire to consolidate and operate as one municipality; and repeals Section 11-42-100, Code of Alabama 1975, which relates to said procedure.

Also:

H. 457. To amend Article III, Section 9 of Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, as amended by Act No. 791 of the Regular Session of the Legislature of Alabama of 1975, said section relating to investment of the fund established for a retirement and relief system for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census as established originally by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, as amended, said Article III, Section 9 to be amended in full to provide that the Board of Managers of any such fund shall also have authority to approve investments of the fund after their making by the designee of the Board, to provide that investments of the fund in bonds and stocks of private corporations shall not exceed seventy-five percent of the funds available for investment, and, to provide that investments in stocks of private corporations shall not exceed fifty percent of the funds available for investment.

Also:

H. 842. To amend Section 11-3-11(a)(15) of Code of Alabama 1975 in order to authorize and empower the County Commission of any County to require property owners to connect with a sanitary sewer system operated by said County any facilities for the collection or disposal of sewage; to charge the owners of affected property for the costs of such connection; and to create a lien against such affected property for the enforcement of the payment of such costs.

Also:

H. J. R. 339. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE FOR THE PROMOTION OF THE TENNESSEE-TOMBIGBEE WATERWAY.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 173. To amend Section 14-3-9, Code of Alabama 1975, relating to the reporting of violations of law and arrest powers by and for Department

of Corrections personnel, so as to provide certain specified employees of the Department of Corrections with full and unlimited police powers and jurisdiction as any other state police officer.

Also:

H. 222. To amend Sections 37-6-2 and 37-6-3, Code of Alabama 1975, to provide that electric cooperatives incorporated under Chapter 6 of Title 37 may provide television reception services, including programming. To clarify the power of cooperatives to condemn property devoted to public use and to provide for indemnification of trustees, directors, officers, employees or agents of a cooperative or serving at the request of the cooperative in such capacity with another entity from liability and expenses of defense in connection with any civil, criminal, administrative or investigative proceeding if such person acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interest of the cooperative or other entity or, in connection with criminal actions, if he had no reasonable cause to believe his conduct was unlawful, to provide that such indemnification shall not be made if a person is adjudged to be liable for negligence or misconduct unless the relevant court shall determine that such person should fairly and reasonably be entitled to indemnification, to establish the procedures to be followed in determining that indemnification of such a person is proper in the circumstances and that he has met the required standard of conduct, to provide for advance payment of expenses of defense, to provide that such indemnification rights are not exclusive of any other rights to which a person may be entitled and to authorize a cooperative to purchase insurance covering liabilities asserted against such persons.

Also:

H. 910. To amend Section 6 of Act No. 529 of the Legislature of Alabama of 1923, as codified in Title 62, Section 725, Code of Alabama 1940 (Recomp. 1958) to provide a salary for members of the Park and Recreation Board of the City of Birmingham who are not members of the governing body of the City of Birmingham.

Also:

H. 988. Relating to Tallapoosa County, providing for the election of the County Board of Education and County Superintendent of Education; adopting single-member districts and repealing all conflicting laws.

Also:

H. 1021. To make an appropriation from the State General Fund to certain historical sites for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed

the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has reconsidered the Bill, S. B. 671.

And the Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 671. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 148. To propose an amendment to the Constitution of Alabama of 1901 authorizing legislation to permit municipalities and counties to provide for the redevelopment and revitalization of areas within their corporate limits or boundaries by creating tax increment districts; to provide for the payment of all increased ad valorem taxes resulting from such redevelopment or revitalization to the municipality or county which created the district until any indebtedness incurred with respect to such project has been paid; to provide that no such payment shall be made to the extent that it jeopardizes the payment of any bonded indebtedness secured by any tax applicable in the proposed district with respect to any such project; to provide that any such indebtedness shall not constitute a charge against any constitutional debt limit if it is payable solely from such increased ad valorem taxes; to ratify and approve legislation adopted in furtherance of the powers hereby conferred; and to provide for the adoption hereof.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the new Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 270. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1988.

And said Bill, H. B. 270, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 349. To provide, for an additional fee, to owners of motor vehicles special license tags or plates which represent the various four-year public institutions of higher learning in this state; to provide for the design of said tags or plates; to authorize the revenue department to adopt such rules and regulations as are necessary to implement the provisions hereof and to require the department to furnish lists of said tags to sheriffs of this state; to require the removal of said special school tags upon the sale of a motor vehicle; to prohibit unauthorized use of such tags; to name this act the "Martin-Estes-Campbell Act"; to provide for the distribution of the net proceeds of such fees to the general scholarship funds of the respective four-year public institutions of higher learning; and to provide for a deduction from Alabama income tax for such proceeds which are distributed to the said scholarship funds.

Also:

H. 873. Authorizing certain institutions of higher learning to condemn lands needed for their educational purposes and providing that this act shall have certain supplemental effect.

Also:

H. 1. To amend Section 40-12-240 of the Code of Alabama, 1975, by adding the definition of self-propelled campers or house cars and to delete certain portions of the definition of gross vehicle weight which are no longer applicable; and to amend Section 40-12-248 of the Code of Alabama, 1975, as amended, by reducing the annual license taxes and registration fees on certain trucks known as self-propelled campers or house cars.

Also:

H. 355. Relating to Jefferson County; to provide compensation for the executive assistant to the sheriff of Jefferson County; to provide additional compensaton for longevity and for cost of living pay increases and to provide for and receive vacation, retirement, and sick benefits.

Also:

H. 356. Relating to the City of Birmingham, Jefferson County, Alabama; providing for the election of the members of the city board of education from single-member districts.

Also:

H. 1026. To make an appropriation from the State General Fund to the Civil Air Patrol for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 1077. To amend Section 5-19-20, Code of Alabama 1975, relating to consumer financial transactions and to insurance offered by creditors, so

as to allow creditors to offer involuntary unemployment compensation insurance to its debtors.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 270. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1988.

And finds same correctly enrolled.

TOMMY CARTER,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. 490. Renaming the Plumbers Examining Board established by Act No. 529 of the 1949 Regular Session of the Legislature (Acts 1949, p. 827), as amended; continuing the existence of such board; authorizing such board to exercise certain statewide licensing authority over plumbers and gas fitters; defining certain terms relating to plumbing and gas fitting as used in this act; prescribing procedures for appointing successors to the current members of such board; prescribing regulations relative to the scope of authority of local and state licenses issued to plumbers and gas fitters; prescribing procedures for the testing and liscensing of plumbers and gas fitters under this act; providing for the compensation and expenses of the members of such

board and its hired or contracted employees; authorizing such board to adopt a fee schedule; prescribing procedures for revoking licenses; authorizing such board to enter into certain reciprocity agreements with other states; prescribing penalty for violation of this act and providing for supplemental effect.

Also:

S. 660. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Orange Beach, in Baldwin County; to provide for a referendum election of the qualified electors who reside within the territory proposed to be brought within the municipal limits of Orange Beach.

Also:

S. 301. To amend Section 40-17-224 of the Code of Alabama 1975, relating to use of certain gas tax proceeds for highway purposes, so as to provide further for such use by certain municipalities.

Also:

S. 498. Relating to Mobile County; providing for the acceptance of certain unimproved roads and regulating the construction of certain other unimproved roads.

Also:

S. 447. Relating to Mobile County; to amend Act No. 751, S. 599, 1967 Regular Session, as amended, which provides for funds from the general funds of the several incorporated municipalities in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, so as to provide further for said funding.

Also:

S. 610. To remove certain property from within the municipal limits of the Town of Summerdale in Baldwin County.

Also:

S. 203. To establish the Timber Theft Equipment Condemnation law of the State of Alabama and to further set forth a procedure whereby vehicles and equipment used in connection with timber theft may be condemned by appropriate authorities and, after notice has been given to creditors having a secured interest, judgement, lien or other interest in such vehicles and equipment, the same may be sold or awarded by court order to the State Forester for use or resale in enforcement of felony theft laws of the State of Alabama wherein timber or lumber are the stolen items.

Also:

S. 73. To provide further for the number of students in state funded academic classrooms in the public schools in Alabama.

Also:

S. 310. To further amend Section 40-6-1, Code of Alabama 1975, as amended, so as to provide further for the qualifications for appointment as a supernumerary official.

Also:

S. J. R. 217. COMMENDING THE BURLINGTON NORTHERN FOUNDATION FOR ITS GENEROSITY TO SPRING HILL COLLEGE, MOBILE, ALABAMA.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 86. To amend Code of Alabama 1975, §13A-5-40(a)(5) to provide that murder of a law enforcement officer or prison or jail guard on duty is a capital offense regardless of whether the defendant knew or should have known that the victim was an officer or guard on duty; to state the need for such an amendment; to provide for severability; to provide an effective date.

Also:

S. 42. To amend Sections 40-22-1 and 40-22-2, Code of Alabama 1975, which sections relate to recordation taxes levied upon deeds, bills of sale, mortgages or other instruments conveying any interest in real or personal property, so as to exempt the re-recording of such instruments executed in order to correct errors in such instruments, specifically, but not limited to, the correction of maturity dates of such instruments, for the purpose of perfecting the title to real or personal property.

Also:

S. 158. To provide for the establishment and operation of an Alabama Peace Officers' Hall of Fame Board, and to prescribe its powers and duties.

Also:

S. 204. To amend Section 22-20-3 of the Code of Alabama 1975, so as to further provide that all susceptible infants be tested for sickle cell anemia, sickle cell trait or abnormal hemoglobin.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed

the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 1. To amend further Code of Alabama 1975, Section 32-5-313, relating to a penalty for a traffic infraction so as to increase the amount of the penalty; to create the Alabama Traffic Safety Center Fund; to provide that the additional amounts shall be used to support programs of the Alabama Traffic Safety Center; and to fund courses in the driver safety, motorcycle safety and boating safety.

Also:

S. 148. To propose an amendment to the Constitution of Alabama of 1901 authorizing legislation to permit municipalities and counties to provide for the redevelopment and revitalization of areas within their corporate limits or boundaries by creating tax increment districts; to provide for the payment of all increased ad valorem taxes resulting from such redevelopment or revitalization to the municipality or county which created the district until any indebtedness incurred with respect to such project has been paid; to provide that no such payment shall be made to the extent that it jeopardizes the payment of any bonded indebtedness secured by any tax applicable in the proposed district with respect to any such project; to provide that any such indebtedness shall not constitute a charge against any constitutional debt limit if it is payable solely from such increased ad valorem taxes; to ratify and approve legislation adopted in furtherance of the powers hereby conferred; and to provide for the adoption hereof.

Also:

S. 253. Proposing an amendment to the Constitution of Alabama 1901, providing that all of the assets, proceeds or income of the Teachers', Employees', State Police, Public and Judicial Retirement Systems, or any successor systems thereto, and all contributions and payments made to such systems to provide for retirement and related benefits thereunder, shall be held, invested as authorized by law, or disbursed as in trust for the exclusive purpose of providing for such benefits, refunds and administrative expenses under the management of the boards of control of the aforementioned systems; and providing that none of such assets, proceeds, income, contributions or payments shall be used, loaned, encumbered or diverted to or for any other purpose whatsoever.

Also:

S. 250. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901, as amended; providing that no law whose purpose or effect is to provide for a new or increased expenditure of county funds held or disbursed by the county governing body shall become effective as to any county of this state until the first day of the fiscal year next following the passage of such law unless such law is approved by a resolution duly adopted by and spread upon the minutes of the county governing body of the county affected thereby, or such law (or other law or laws which specifically refer to such law) provides the respective county

governing bodies with new or additional revenues sufficient to fund such new or increased expenditures; providing for an election thereon; and prescribing an effective date for the proposed amendment.

Also:

S. 176. To amend Sections 25-8-4, 25-8-8, and 25-8-16, Code of Alabama 1975, so as to bring Alabama's Child Labor statutes into agreement with existing Federal regulations pertaining to working hours of children under age sixteen and establishes additional specific working hours for certain children enrolled in school and also provides for exemptions to established work hours.

Also:

S. 393. To repeal the provisions of Code of Alabama 1975, Section 5-5A-24.

Also:

S. 426. To amend Section 40-18-27, Code of Alabama 1975, relating to income tax returns, so as to extend to an innocent spouse who signs a joint return without knowledge of all entries the same limited liability as granted for federal income tax purposes.

Also:

S. 671. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 212. To amend Section 13A-6-20 of the Code of Alabama 1975, relating to assault in the first degree so as to provide further for the elements of such crime.

Also:

S. 476. To authorize the issuance of a summons or notice by livestock theft investigators for misdemeanor violations of livestock sanitary and disease control laws and regulations or any other laws and regulations governing the handling, movement or sale of livestock; to provide for the immediate taking into custody of persons who refuse to sign the summons

or notice or to give their name and address; to provide that one who willfully fails to appear at the time and place specified in the summons commits the crime of bail jumping in the second degree.

Also:

S. 233. To make certain legislative findings, to define terms for the purposes of this act; to grant certain immunity from suit and civil liability for certain officers, directors, trustees and members of governing bodies of not-for-profit corporations, associations or organizations which are exempt from federal income taxation under Section 501(c) of the Internal Revenue Code of 1954, as amended; not-for-profit corporations, associations or organizations which are organized pursuant to Sections 10-3A-1, et seq., 22-51-1, 22-51-2, 22-51-3, 22-51-4, 22-51-5, 22-51-6, 22-51-7, 22-51-8, 22-51-9, 22-51-10, 22-51-11, 22-51-12, 22-51-13, and 22-51-14 of the Code of Alabama 1975, self-insured funds established pursuant to Sections 11-26-1, 11-26-2, 11-30-2 or 25-5-9, Code of Alabama 1975, or other legal authority; and boards, authorities or commissions the members of which are appointed by the governing body or bodies of any county or municipality, or by the Governor or other constitutional officers or members of the legislature, pursuant to legislative or constitutional authorization, or the members of which are constitutionally or legislatively delegated.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:35 A. M. on August 3, 1987.

H. 141 (EXECUTIVE AMENDMENT)	H. J. R. 467
H. J. R. 417	H. J. R. 468
H. J. R. 418	H. J. R. 469
H. J. R. 420	H. J. R. 476
H. J. R. 421	H. J. R. 481
H. J. R. 422	H. J. R. 484
H. J. R. 424	H. J. R. 423
H. J. R. 435	H. 10
H. J. R. 436	H. 74

H. J. R. 439
H. J. R. 441
H. J. R. 446
H. J. R. 447
H. J. R. 459
H. J. R. 460
H. J. R. 461
H. J. R. 462
H. J. R. 466
H. 225
H. 286
H. 510
H. 114
H. 297
H. 502
H. 506
H. 667
H. J. R. 433

Delivered to the Governor at 12:50 P. M. on August 3, 1987.

H. J. R. 265
H. 164
H. 167
H. 193
H. 240
H. 450
H. 478
H. 631
H. 687
H. 762
H. 791
H. 948
H. 949
H. 990
H. 992
H. 1001
H. 1038
H. 1046
H. 1051
H. 1065
H. 1073
H. 1108
H. 46
H. 533
H. 1053

Delivered to the Secretary of State at 2:20 P. M. on August 3, 1987.

H. 453 (CONSTITUTIONAL AMENDMENT)

Delivered to the Governor at 2:25 P. M. on August 3, 1987.

H. 298
H. 452
H. 629
H. 648
H. 708
H. 731
H. 843
H. 891
H. 896
H. 998
H. 1000
H. 1002
H. 1064
H. 1117

H. 885

H. 886

H. J. R. 286

Delivered to the Governor at 2:40 P. M. on August 3, 1987.

H. 263

Delivered to the Secretary of State at 3:28 P. M. on August 3, 1987.

H. 406 (CONSTITUTIONAL AMENDMENT)

Delivered to the Governor at 3:30 P. M. on August 3, 1987.

H. 1025

H. 1125

H. 1126

H. 1127

Delivered to the Governor at 4:40 P. M. on August 3, 1987.

H. 269

H. 1027

Delivered to the Governor at 5:00 P. M. on August 3, 1987.

H. 1020

H. 1022

H. 1023

Delivered to the Governor at 9:00 P. M. on August 3, 1987.

H. 639

H. 844

H. 853

H. 1024

H. 1141

H. 403

H. 1143

H. 658

Delivered to the Governor at 9:55 P. M. on August 3, 1987.

H. 13

H. 903

H. 973

H. 1034

H. 1042

H. 989

H. J. R. 521

H. 635

Delivered to the Governor at 11:59 P. M. on August 3, 1987

H. 322

H. 345

H. 434

H. 173

H. 222

H. 910

H. 441	H. 988
H. 442	H. 1021
H. 507	H. 349
H. 902	H. 873
H. 1134	H. 1
H. 132	H. 355
H. 415	H. 356
H. 457	H. 1026
H. 842	H. 1077
H. J. R. 339	H. 270

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Carothers, the House adjourned sine die at twelve o'clock midnight.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (W), Coburn, Cosby, Curry, Dillard, Drake, Faulk, Flowers, Ford, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Holmes, Hooper, Johnson (RG), Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marks, Mathis, McClain, McKee, McMillan, Mikell, Moon, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright and Zoghby.

—90

JOHN W. PEMBERTON,
Clerk of the House of Representatives
of the Legislature of Alabama,
Regular Session, 1987.

HOUSE OF REPRESENTATIVES
REGULAR SESSION 1987
ALPHABETICAL ROSTER AND DISTRICT NUMBER

Charles Adams, 83
John P. Beasley, 85
Greg Beers, 48
Jack Biddle, III, 43
Lucius Black, Sr., 67
A. J. Blake, 42
Harrell Blakeney, 66
W. C. ("Bill") Bowling, 12
Michael E. Box, 96
Michael M. Breedlove, 65
Charlie Britnell, 18
Morris J. ("Mo") Brooks, Jr., 10
Jenkins Bryant, Jr., 68
June Bugg, 29
Ralph Burke, 24
James Buskey, 99
John Buskey, 77
Tom Butler, 6
James M. Campbell, 36
Joe R. Carothers, Jr., 86
Tommy Carter, 5
James S. Clark, 84
William Clark, 98
Tom Coburn, 2
W. F. ("Noopie") Cosby, Jr., 70
Bobby C. Crow, 35
Johnny L. Curry, 50
Patricia Davis, 58
Ernest Dillard, 7
Tom Drake, 11
Sundra E. Escott, 60
Dwight Faulk, 90
Steve Flowers, 89
Joe Ford, 28
Ed Frazier, 14
Dewayne Freeman, 21
Bill Fuller, 38
Victor Gaston, 100
J. W. ("Joe") Goodwin, 3
Billy Gray, 45
George W. Grayson, 19
E. A. Grouby, Jr., 71
Albert Hall, 22
James Harold Hamilton, 4
Seth Hammett, 92
Taylor F. Harper, 105
Bob Harvey, 27
Clarence E. Haynes, 32
Lewis W. Headley, 72
Steve Hettinger, 20
G. J. Higginbotham, 80
Michael E. Hill, 41
Thomas E. Hogan, 13
Jimmy W. Holley, 91
Alvin Holmes, 78
Perry O. Hooper, Jr., 73
Ronald G. Johnson, 33
Roy W. Johnson, Jr., 63
Bobby M. Junkins, 30
Yvonne Kennedy, 103
Al Knight, 40
Ken Kvalheim, 101
Richard Laird, 37
Allen Layson, 15
Richard J. Lindsey, 39
Steve J. Logan, 17
E. B. McClain, 57
Bobbie G. McDowell, 56
Bob McKee, 74
Stephen A. McMillan, 95
Beth Marietta, 104
Herman H. Marks, 8
Nathan Mathis, 87
Bryant Melton, 61
Mike Mikell, 76
Gordon R. Moon, 25
Max Newman, 16
Demetrius C. Newton, 53
Paul Parker, 9
Arthur Payne, 44
Walter E. Penry, Jr., 94
George Perdue, 54
Tony Petelos, 49
Phil Poole, 62
T. Euclid Rains, Sr., 26
Thomas Reed, 82
Ben T. Richardson, 23
John W. Rogers, Jr., 52
George G. Seibels, Jr., 47
William M. Slaughter, 46
Lewis G. Spratt, 59
Nelson R. Starkey, Jr., 1
James L. Thomas, 69
J. E. Turner, 102
Pete Turnham, 79
Jack B. Venable, 31
Claud Walker, 75
James E. ("Jimmy") Warren, 64
Frank P. ("Skippy") White, 93
Gary White, 55
Lester White, 81
R. Nolan Williams, 88
Gerald Willis, 34
Jim Wright, 51
Mary S. Zoghby, 97

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA

REGULAR SESSION 1987

OFFICERS

JAMES S. CLARK, *Speaker,* Eufaula

JAMES M. CAMPBELL
Speaker Pro-Tem, Anniston

JOHN W. PEMBERTON, *Clerk,* Montgomery

GREG PAPPAS, *Assistant Clerk,* Montgomery

VANNAH W. NORRELL, *Chief Clerk,* Montgomery

MEMBERS OF THE HOUSE

Dist. No.	Counties	Name	Address
1	LAUDERDALE	Nelson R. Starkey, Jr.	301 N. Pine St., Florence 35630
2	COLBERT	Tom Coburn	1107 East 3rd St., Tuscumbia 35674
3	COLBERT, LAUDERDALE	J. W. (Joe) Goodwin	310 Ford Road, Muscle Shoals 35661
4	LAUDERDALE, LIMESTONE	James Harold Hamilton	301 N. Pine St., Florence 35630
5	LIMESTONE	Tommy Carter	Route 2, Box 82, Elkmont 35620
6	MADISON	Tom Butler	1803 Forney Drive, Huntsville 35816
7	LAWRENCE, MORGAN	Ernest Dillard	Route 1, Box 216, Courtland 35618
8	MORGAN	Herman H. Marks	1704 Sandra St., SW, Decatur 35601
9	MORGAN	Paul Parker	303 North Douglas St., Hartselle 35640
10	MADISON	Morris J. (Mo) Brooks, Jr.	9009 Randall Road, Huntsville 35802
11	CULLMAN, MORGAN	Tom Drake	P. O. Box 1165, Cullman 35055

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

12 CULLMAN
W. C. (Bill) Bowling ..... Route 2, Box 349, Hanceville 35077

13 WALKER
Thomas E. Hogan ..... 300 12th Avenue, NE, Jasper 35501

14 TUSCALOOSA, WALKER
Ed Frazier ..... N. 88, Hwy. 195, Jasper 35501

15 PICKENS, TUSCALOOSA
Allen Layson ..... P. O. Box 910, Reform 35481

16 FAYETTE, LAMAR, MARION
Max Newman ..... P. O. Box 428, Millport 35576

17 MARION, WINSTON
Steve J. Logan ..... P. O. Box 576, Hamilton 35570

18 FRANKLIN, MARION
Charlie Britnell ..... Route 2, Box 376, Russellville 35653

19 MADISON
George W. Grayson ..... P. O. Box 38, Normal 35762

20 MADISON
Steve Hettinger ..... 2207 Toll Gate, Huntsville 35801

21 MADISON
Dewayne Freeman ..... 114 East Becky Circle, Huntsville 35810

22 JACKSON, MADISON
Albert Hall ..... P. O. Box 275, Gurley 35748

23 JACKSON
Ben T. Richardson ..... P. O. Box 1017, Scottsboro 35768

24 DEKALB
Ralph Burke ..... P. O. Box 876, Fort Payne 35967

25 MARSHALL
Gordon R. Moon ..... P. O. Box 265, Guntersville 35976

26 DEKALB, MARSHALL
T. Euclid Rains, Sr. ..... Rt. 1, Box 326, Albertville 35950

27 BLOUNT
Bob Harvey ..... Route 4, Box 2215, Oneonta 35121

28 ETOWAH
Joe Ford ..... Gadsden State Community College
1001 George Wallace Dr., Gadsden 35999

29 ETOWAH
June Bugg ..... 610 South 5th St., Gadsden 35901

30 ETOWAH, ST. CLAIR
Bobby M. Junkins ..... 254 College St., Gadsden 35999

31 COOSA, ELMORE
Jack B. Venable ..... P. O. Box 736, Tallassee 36078

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

32 TALLADEGA
Clarence E. Haynes ..... P. O. Box 1041, Talladega 35160

33 TALLADEGA
Ronald G. Johnson ..... Route 5, Box 17, Sylacauga 35150

34 CALHOUN
Gerald Willis ..... Route 2, Box 286, Piedmont 36272

35 CALHOUN
Bobby C. Crow ..... Route 10, Box 842, Anniston 36201

36 CALHOUN
James M. Campbell ..... P. O. Box 2003, Anniston 36202

37 CHAMBERS, RANDOLPH, CLAY
Richard Laird ..... 1507 Bonner, Roanoke 36274

38 CHAMBERS
Bill Fuller ..... 118 South LaFayette St., LaFayette 36862

39 CHEROKEE, CLEBURNE, DEKALB
Richard J. Lindsey ..... Route 2, Box 394, Centre 35960

40 BIBB, SHELBY
Al Knight ..... 2421 Brook Run, Birmingham 35244

41 SHELBY
Michael E. Hill ..... 301 Pitts Drive, Columbiana 35051

42 ST. CLAIR
A. J. Blake ..... Route 1, Box 2109, Pell City 35125

43 JEFFERSON
Jack Biddle, III ..... 2256 Pinehurst Dr., Gardendale 35071

44 JEFFERSON
Arthur Payne ..... 2825 2nd Street, N.W., Birmingham 35215

45 JEFFERSON
Billy Gray ..... 9229 Todd Dr., Suite 105, Birmingham 35206

46 JEFFERSON
William M. Slaughter ..... 800 1st Nat'l Southern Natural Bldg.
Birmingham 35203

47 JEFFERSON
George G. Seibels, Jr. ..... 4016 10th Avenue South
Birmingham 35222

48 JEFFERSON
Greg Beers ..... 1504 Verdure Circle, Birmingham 35226

49 JEFFERSON
Tony Petelos ..... 1440 42nd St., W., Birmingham 35208

50 JEFFERSON
Johnny L. Curry ..... 3264 Fieldale Dr., Hueytown 35023

51 JEFFERSON
Jim Wright ..... P. O. Box 279, Adamsville 35005

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

52 JEFFERSON
John W. Rogers, Jr. ..... 1424 18th St., S.W., Birmingham 35211

53 JEFFERSON
Demetrius C. Newton ..... P. O. Box 2525, Birmingham 35202

54 JEFFERSON
George Perdue ..... P. O. Box 2473, Birmingham 35201

55 JEFFERSON
Gary White ..... 414 Yorkshire Dr., Homewood 35209

56 JEFFERSON
Bobbie G. McDowell ..... 2322 Dartmouth Ave., Bessemer 35020

57 JEFFERSON
E. B. McClain ..... 3826 Troy Terrace, Brighton 35020

58 JEFFERSON
Patricia Davis ..... 9312 Sears Drive, Birmingham 35206

59 JEFFERSON
Lewis G. Spratt ..... 3809 4th St. W., Birmingham 35207

60 JEFFERSON
Sundra E. Escott ..... P. O. Box 8343, Birmingham 35218

61 TUSCALOOSA
Bryant Melton ..... 4129 20th Street, Tuscaloosa 35401

62 TUSCALOOSA
Phil Poole ..... P. O. Box 609, Moundville 35474

63 TUSCALOOSA
Roy W. Johnson, Jr. ..... 4501 20th St., N.E., Tuscaloosa 35404

64 CONECUH, MONROE
James E. (Jimmy) Warren ..... P. O. Box 207, Castleberry 36432

65 CLARKE, WASHINGTON
Michael M. Breedlove ..... 119 Dogwood Dr., Jackson 36545

66 CHOCTAW, CLARKE, MARENGO
Harrell Blakeney ..... 1101 Old Hwy. 5, So., Thomasville 36784

67 CHOCTAW, GREENE, SUMTER
Lucius Black, Sr. ..... P. O. Box 284, York 36925

68 DALLAS, PERRY, HALE
Jenkins Bryant, Jr. ..... Route 1, Box 482, Newbern 36765

69 DALLAS, LOWNDES, WILCOX
James L. Thomas ..... 2713 Hwy. 14 E., Selma 36701

70 DALLAS
W. F. (Noopie) Cosby, Jr. ..... P. O. Box 683, Selma 36702

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

71 AUTAUGA, CHILTON
E. A. Grouby, Jr. ..... P. O. Box 188, Prattville 36067

72 BIBB, CHILTON
Lewis W. Headley ..... P. O. Box 1610, Clanton 35045

73 MONTGOMERY
Perry O. Hooper, Jr. ..... 503 S. Court St., Suite 320
Montgomery 36111

74 MONTGOMERY
Bob McKee ..... P. O. Box 424, Montgomery 36101

75 MONTGOMERY
Claud Walker ..... P. O. Box M, Montgomery 36105

76 ELMORE, MONTGOMERY
Mike Mikell ..... 3920 Chapman Rd., Millbrook 36054

77 MONTGOMERY
John Buskey ..... P. O. Box 6216, Montgomery 36106

78 MONTGOMERY
Alvin Holmes ..... P. O. Box 6064, Montgomery 36106

79 LEE
Pete Turnham ..... Box 1592, Auburn 36830

80 LEE
G. J. Higginbotham ..... P. O. Box 2545, Opelika 36803

81 TALLAPOOSA
Lester White ..... 739 Freeman St., Dadeville 36853

82 BULLOCK, MACON
Thomas Reed ..... P. O. Drawer EE, Tuskegee Institute 36088

83 RUSSELL
Charles Adams ..... P. O. Box 967, Phenix City 36867

84 BARBOUR, RUSSELL
James S. Clark ..... P. O. Box 71, Eufaula 36027

85 HENRY, HOUSTON
John P. Beasley ..... P. O. Drawer M, Columbia 36319

86 HOUSTON
Joe R. Carothers, Jr. ..... Route 8, Box 33, Dothan 36301

87 GENEVA, HOUSTON
Nathan Mathis ..... Route 1, Newton 36352

88 DALE
R. Nolan Williams ..... Troy State University at Dothan
P. O. Box 6947, Dothan 36302

89 PIKE, DALE
Steve Flowers ..... P. O. Box 973, Troy 36081

90 BUTLER, CRENSHAW
Dwight Faulk ..... Route 2, Box 90, Honoraville 36042

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

91 COFFEE
Jimmy W. Holley ..... Route 3, Box 254E, Elba 36323

92 COVINGTON
Seth Hammett ..... P. O. Drawer 1607, Andalusia 36420

93 ESCAMBIA
Frank P. (Skippy) White ..... Rt. 1, Box 427-Pollard
Flomaton 36441

94 BALDWIN
Walter E. Penry, Jr. ..... Rt. 2, Box 286, Daphne 36526

95 BALDWIN
Stephen A. McMillan ..... Box 337, Bay Minette 36507

96 MOBILE
Michael E. Box ..... 155 S. Warren St., Mobile 36602

97 MOBILE
Mary S. Zoghby ..... 2862 Hilburn Drive, Mobile 36606

98 MOBILE
William Clark ..... 711 Atmore Ave., Prichard 36612

99 MOBILE
James Buskey ..... 2207 Barretts Lane, Mobile 36617

100 MOBILE
Victor Gaston ..... 864 West Parkwood Dr., W., Mobile 36608

101 MOBILE
Ken Kvalheim ..... 421 Dogwood Dr., Mobile 36609

102 MOBILE
J. E. Turner ..... P. O. Box 777, Citronelle 36522

103 MOBILE
Yvonne Kennedy ..... 1205 Glennon Avenue, Mobile 36603

104 MOBILE
Beth Marietta ..... 557 Church Street, Mobile 36602

105 MOBILE
Taylor F. Harper ..... P. O. Box 229, Grand Bay 36541

ROSTER OF THE SENATE OF ALABAMA

1987

Jim Folsom, Jr., *Lieutenant Governor* ..... Alabama State House, Montgomery

Ryan deGraffenried, *President Pro-Tem* ..... Tuscaloosa

McDowell Lee, *Secretary* ..... Montgomery

John D. Crawford, *Assistant Secretary* ..... Montgomery

Mrs. William R. Lawley, Jr., *Chief Clerk* ..... Montgomery

District No. 1—Lauderdale, Colbert
Bobby Denton ..... P. O. Box 987, Tuscumbia 35674

District No. 2—Madison, Limestone, Lauderdale
Jim Smith ..... 108-A South Side Square, Huntsville 35801

District No. 3—Lawrence, Morgan
Ray Campbell ..... Rt. 4, Box 43, Town Creek 35672

District No. 4—Cullman, Morgan, Madison
Don Hale ..... 409 6th St., S.W., Cullman 35055

District No. 5—Pickens, Tuscaloosa, Walker
Charles Bishop ..... P. O. Box 2328, Jasper 35501

District No. 6—Franklin, Marion, Winston, Lamar, Fayette
Roger H. Bedford ..... P. O. Box 669, Russellville 35653

District No. 7—Madison
Bill G. Smith ..... 2009 Gallatin St., S.W., Huntsville 35801

District No. 8—Madison, Jackson, DeKalb
Lowell R. Barron ..... P. O. Box 65, Fyffe 35971

District No. 9—Marshall, Blount, DeKalb
Hinton Mitchem ..... P. O. Box 297, Albertville 35950

District No. 10—Etowah
Bill Drinkard ..... Holy Name of Jesus Medical Center Moragne Park, Gadsden 35902

District No. 11—Elmore, Talladega, Coosa
Jim Preuitt ..... P. O. Box 1063, Talladega 35160

District No. 12—Calhoun
Donald G. Holmes ..... P. O. Box 3383, Oxford 36203

District No. 13—Chambers, Clay, Randolph, Cleburne, Cherokee, DeKalb
Gerald Dial ..... P. O. Box 248, Lineville 36266

District No. 14—St. Clair, Shelby, Bibb
Frank (Butch) Ellis, Jr. ..... P. O. Box 587, Columbiana 35051

ROSTER OF THE SENATE OF ALABAMA—Continued

District No. 15—Jefferson
John E. Amari ..... 9636 Parkway East, Birmingham 35215

District No. 16—Jefferson
William J. Cabaniss, Jr. ..... P. O. Box 19925, Birmingham 35219

District No. 17—Jefferson
Mac Parsons ..... 2027 2nd Ave., N., Birmingham 35203

District No. 18—Jefferson
Fred Horn ..... 900 4th St., N., Birmingham 35204

District No. 19—Jefferson
Jim Bennett ..... Suite 100, 130 Building 130 Vulcan Road, Birmingham 35207

District No. 20—Jefferson
Earl F. Hilliard ..... P. O. Box 11385, Birmingham 35202

District No. 21—Hale, Tuscaloosa
Ryan deGraffenried, Jr. ..... P. O. Box 2263, Tuscaloosa 35403

District No. 22—Marengo, Clarke, Choctaw, Washington, Monroe, Conecuh
Rick Manley ..... P. O. Drawer U, Demopolis 36732

District No. 23—Choctaw, Sumter, Greene, Perry, Dallas, Wilcox, Lowndes
Henry (Hank) Sanders ..... P. O. Box 1305, Selma 36702

District No. 24—Dallas, Autauga, Chilton, Bibb
Earl Goodwin ..... P. O. Box 886, Selma 36702

District No. 25—Montgomery
Larry Dixon ..... P. O. Box 946, Montgomery 36102

District No. 26—Montgomery, Elmore
Charles D. Langford ..... 352 Dexter Ave., Montgomery 36104

District No. 27—Tallapoosa, Lee
John Rice ..... P. O. Box 4008, Opelika 36803

District No. 28—Macon, Bullock, Barbour, Russell
J. Danny Corbett ..... Route 7, Box 821, Phenix City 36867

District No. 29—Henry, Houston, Geneva
Chip Bailey ..... P. O. Box 6791, Dothan 36301

District No. 30—Butler, Crenshaw, Pike, Dale
J. Foy Covington, Jr. ..... Rt. 2, Newville 36353

District No. 31—Coffee, Covington, Escambia
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ROSTER OF THE SENATE OF ALABAMA—Continued

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Perry A. Hand ..... P. O. Box 478, Gulf Shores 36542

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Michael Figures ..... 2317 St. Stephens Rd., Mobile 36617

District No. 34—Mobile
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District No. 35—Mobile
William J. (Bill) Menton ..... Rt. 2, Box 171 Irvington 36544

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HJR 179, pages 461, 1218, 1381, 1443, 1471, Act No. 87-308

Conservation and natural resources department, rule regarding hunting from tree stands, suspension of, sustained
HJR 177, pages 460, 461, 1217, 1381, 1442, 1471, Act No. 87-308

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HJR 359, pages 1426, 1427, 1476, 2508, 2513, 2606, Act No. 87-466

Arrest citations, certain, issuance of by department of agriculture and industries investigators, authorized—
HB 496, pages 289, 749

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HB 414, pages 263, 338, 628, 1501, 1502, 1503, 1558, 1559

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Boll weevil eradication, assessments for—
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HB 584, pages 421, 629, 1464, 1464, 2509, 2517, 2606, Act No. 87-624

AGRICULTURAL AFFAIRS (Continued)

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HB 814, pages 1021, 1295, 1937, 1937, 2529, 2554, 2607, Act No. 87-406

Catfish promotion, checkoff program, established—
HB 815, pages 1021, 1294, 1938, 1938, 2528, 2553, 2607, Act No. 87-587

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HB 604, pages 458, 752

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HB 645, pages 633, 1010

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Barbers, cosmetologists, manicurists, food handlers, required to have annual exams for, penalties—
HB 34, page 15

Corps, releasor of, any, required to give notice if deceased had—
HB 396, pages 260, 414, 1799, 1800

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HB 338, pages 103, 682, 1912, 1926, 1927, 2518, 2525, 2606, Act No. 87-574

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11th trw, Birmingham, commended—
HJR 241, pages 913, 1141, 1150, 1214, Act No. 87-237

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SJR 26, pages 330, 518, Act No. 87-84

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HB 80, pages 24, 88, 485, 487, 488, 729, 729, 743, Act No. 87-152

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HB 1144, pages 2038, 2266, 2375, 2376, 2387

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ALABAMA COMMISSION ON HIGHER EDUCATION

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Alabama student grant program, appropriation, provided—
HB 1130, pages 2036, 2264, 2362, 2362

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HJR 341, pages 1375, 1376

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SJR 119, pages 1401, 2639, 2720, Act No. 87-813

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Alabama family medical catastrophe fund and family medical catastrophe board, established—
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Bonds, limit on issuance of, authorized—
HB 796, pages 1017, 1293, 2073, 2073, 2479, 2505, 2606, Act No. 87-556

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HB 795, pages 1017, 1293, 1784, 1791

Multi-unit housing, included in for mortgage purposes—
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Teacher units, portion, certain, may be used by—
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Fireworks, sale of for public display, distributor's permit, not required to purchase—
HB 79, pages 23, 73, 87, 234, 235, 674, 674, 679, Act No. 87-151

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ALABAMA LEAGUE FOR ADVANCEMENT OF EDUCATION

Appropriation, provided—
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ALABAMA MEDICAL LIABILITY ACT

Chiropractors, optometrists and pharmacists, included in term "other health care providers"—
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1169th engineer group, commended—
HJR 376, pages 1607, 1608, 1775, 1793, 1980, Act No. 87-382

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HJR 295, pages 1100, 1143, 1151, 1215, Act No. 87-250

ALABAMA OUTDOOR DRAMA

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ALABAMA PEACE OFFICERS HALL OF FAME BOARD

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HB 377, pages 256, 1167

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Alabama music hall of fame board, provided—
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Elyton recovery center, provided—
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Emergency forest fire, insect and disease fund, provided—
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Emergency medical services programs, provided—
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Sylacauga nurses training school, provided—
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Section 15-18-8, relating to defendants, convicted, sentence and punishment, provided further—
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HR 145, page 355

KILPATRICK, JACK D.

Death mourned—
HR 40, page 189

KIMBROUGH, J. E.

Commended—
SJR 46, pages 863, 1034, Act No. 87-194

KIMSEY, JUDY SHARON HALL

Death mourned—
HR 367, page 1501

KINDERGARTENS

Teacher units, certain, portion of may be used for—
HB 245, pages 59, 750

Textbook and educational materials, board of education authorized to purchase for—
HB 486, page 287

KING'S RANCH

Tax exemption, provided—
HB 288, pages 94, 1287, 1800, 1801, 2470, 2490, 2605, Act No. 87-549

KINSEY

Corporate limits, altered—
HB 582, pages 420, 1010, 1310, 1311, 2042, 2063, 2261, Act No. 87-443

KIRK, MARY B.

Death mourned—
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KROELINGER, CHARLES EDWARD, JR.

Death mourned—
HR 513, page 2633

KULL, JAMES C.

Commended—
HR 57, page 192

LABOR

Child labor law, comply federal law—
SB 176, pages 2059, 2060, 2377, 2950, 2950, 2970, Act No. 87-673

Strikes, public employees, prohibited—
HB 176, page 45

Unemployment compensation, alien claimants, eligibility, regulated—
HB 722, pages 760, 1479

Unemployment compensation benefits, lock out, not denied because of—
HB 1005, page 1618

Welfare employment skills training program, established—
HB 536, pages 377, 753

Workmen's compensation, average weekly earnings, benefits deemed a part of earnings for purposes of computing—
HB 569, pages 390, 413, 511

Workmen's compensation, burial benefits, maximum amount, increased—
HB 883, page 1198

Workmen's compensation, third parties, actions against, benefits, altered—
HB 914, pages 1354, 1368

LACY, NANCY LANGHORNE

Death mourned—
HJR 411, pages 1755, 1774, 1793, 1980, Act No. 87-384

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Board of education, compensation—
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Constable, office of, abolished—
HB 186, pages 47, 184, 309, 310, 1153, 1159, 1215, Act No. 87-259

Licenses, business, issuance by mail, provided—
HB 753, pages 921, 1173, 1321, 1322, 2022, 2041, 2261, Act No. 87-447

Voter reidentification, provided—
HB 185, pages 47, 90, 229, 230, 1152, 1159, 1215, Act No. 87-258

LAUDERDALE COUNTY HIGH SCHOOL

Basketball team, commended—
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LAW ENFORCEMENT OFFICERS

Alabama peace officers hall of fame board, established—
HB 760, pages 942, 1010
SB 158, pages 1355, 1357, 1481, 2874, 2874, 2968, Act No. 87-718

Badges, survivors to receive, disabled in line of duty, to receive—
SB 499, pages 1509, 1679, 2602, 2602, 2619, Act No. 87-657

Bonding companies, referral of arrested persons to, prohibited—
HB 778, pages 945, 1677

Death or disability, occupation, related to, eligible for—
HB 520, pages 294, 2030

Domestic abuse issues, training design program for, authorized—
HB 964, page 1492

Domestic violence arrests, making, civil immunity, granted—
HB 965, pages 1492, 1678

Domestic violence victims, availability of a shelter, other services and legal rights, required to advise—
HB 966, page 1492

Domestic violence, incident report, responding, must fill out and file—
HB 963, page 1492

Education, continuing, 20 hours of, police chiefs required to complete—
HB 762, pages 942, 1010, 1560, 1561, 2627, 2657, 2972, Act No. 87-733

Lawful duty, performing of, assault which prevents, class c felony—
HB 241, pages 59, 282

Liquefied petroleum gas board, subsistence allowance for, included in—
HB 394, pages 259, 624
SB 345, pages 735, 1287, 2727, 2727, 2758, Act No. 87-814

LAW ENFORCEMENT OFFICERS (Continued)

Murder of, capital offense—
SB 86, pages 1513, 2267, 2870, 2870, 2968, Act No. 87-709

Occupational diseases, death and disability payments, provided—
HB 130, page 35

Officials, state, security protection, entitled to, redefined, state troopers, assigned to, qualifications, altered—
HB 982, page 1497

Peace officers' annuity and benefit fund, prior service, purchase of, eliminated, benefits, altered—
HB 484, pages 287, 411, 1255, 1256

Police officers and firefighters survival educational assistance act, tuition, provided further for—
HB 599, pages 457, 1689, 1978, 1979, 1983, 1984, 2527, 2553, 2607, Act No. 87-609
SB 341, pages 2414, 2415

Policemen, minimum compensation, established—
HB 398, pages 260, 1482

Retirement system, employees, police chiefs, certain, reopened for—
HB 15, pages 7, 88, 363, 364, 382

Subsistence allowance, for certain, extended—
HB 139, pages 38, 174, 496, 496, 497, 1528, 1542, 1591, Act No. 87-344
HB 330, page 101

Subsistence allowance, provided—
HB 87, page 26

Survivor benefits, regulated—
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Undercover officers protection act, capitol punishment, provided—
HB 303, pages 96, 621

Uniform controlled substances act, a.b.c. officers, authorized to enforce—
HB 907, pages 1353, 1676, 2325, 2326

LAWLESS, FREDERICK WESLEY

Death mourned—
HJR 53, pages 191, 192, 243, 249, 332, Act No. 87-45

LAWRENCE COUNTY

Annexation, municipality outside county, county commission, consent of, required—
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Court cost, increased, distribution—
HB 1060, pages 1631, 1687, 1840, 1840, 2440, 2449, 2460, Act No. 87-618

LAWRENCE COUNTY HIGH SCHOOL

Band, commended—
HJR 189, pages 493, 494, 585, 585, 618, Act No. 87-101

LEE, ADDIE RHODES

Commended—
HJR 166, pages 424, 425, 596, 604, 678, Act No. 87-118
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Board of health, fees, certain, authorized to levy—
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Appropriation, provided—
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LEE, ALTO V., III

Death mourned—
HJR 173, pages 449, 450, 591, 595, 619, Act No. 87-109

LEE, ARNOLD

Commended—
HR 127, page 305

LEESBURG

Corporate limits, altered—
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Alabama revenue sharing fund, established, distribution—
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State agencies, required to review, appropriation, provided—
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Compensation, method of, altered—
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Speaker of the house, administrative assistant, status, altered, compensation—
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Travel, members, out of state, regulated—
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Forestry study committee, expense allowance, additional, authorized—
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Interim Talladega county governmental study committee and subcommittee, established—
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Lottery advisory committee, established—
HB 500, page 290

Medicaid, transfer of funds from commission on aging, established to study—
SJR 41, pages 955, 956, 2640, 2719, Act No. 87-635

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Tires, scrap, disposal of, established to study—
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LEONARD, JEFFERY MCDANIEL

Commended—
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State publications depository program, established—
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Supernumerary, appointment, qualifications, provided—
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Distinctive, military, retired, provided—
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Barber, state wide board, established—
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Plumbers examining board, statewide testing, authorized to expand—
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LIEUTENANT GOVERNOR

Office of, separate and distinct, staff hiring and compensation, regulated—
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LIMING, JESSIE O.

Death mourned—
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LINDSEY, REPRESENTATIVE AND MRS. RICHARD

Commended—
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LONG, JOHNNY

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LYMAN WARD MILITARY ACADEMY

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LYONS, HOWIE

Commended—
SJR 101, pages 953, 954, 1091, Act No. 87-213

LYONS, ROBERT RADCLIFF

Death mourned—
HR 344, page 1377
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MACKEY, WILBER JOE

Death mourned—
HR 162, page 407

MACMILLAN, STEPHEN J.

Death mourned—
HR 37, page 189

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Board of education, election, special committee to formulate plans for—
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Tuskegee, corporate limits, altered—
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Appropriation, provided—
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Alabama manufactured housing commission recovery fund, established—
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MARBUT, GRADY MANUEL

Death mourned—
HR 414, page 1576

MARION MILITARY INSTITUTE

Appropriation, provided—
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MARRIAGE

Licenses, test for aids, required—
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License fee, increased, funding, maximum limit, deleted—
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Commended—
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MARY G. MONTGOMERY HIGH SCHOOL

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MASSEY, JEFF

Commended—
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MATTHEWS, ARSA SLOAN

Death mourned—
HR 107, page 295

MATTHEWS, FRANCES

Commended—
HR 124, page 304

MAY, ODENE

Commended—
SJR 98, pages 953, 954, 1091, Act No. 87-215

MAYFIELD, VANCE

Commended—
HJR 524, page 2749
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Commended—
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MCBRAYER, THOMAS EDWARD

Death mourned—
HR 41, page 189

MCCALL, DOUGLAS J.

Commended—
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MCCALL, LILLIAN JEANNETTE

Commended—
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MCCLAIN, DARRELL

Commended—
HJR 337, pages 1306, 1307, 1381, 1442, 1471, Act No. 87-303

MCCLESKEY, CLYDE ANDREW

Death mourned—
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MCCORQUODALE, JOE

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MCCRORY, JAMES

Gravesite, historical marker to be placed at—
HJR 360, pages 1497, 1498, 1774, 1792, 1980, Act No. 87-377

MCEACHERN, WARREN SHANKS

Commended—
HR 343, page 1377

MCGOWIN, IRADELLE

Commended—
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MCKINNEY LEARNING CENTER

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HJR 294, pages 1099, 1100, 1142, 1151, 1215, Act No. 87-249

MCNAIR, CHRIS

Commended—
HJR 68, pages 199, 200, 599, 607, 679, Act No. 87-146

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Odyssey of the mind team, commended—
HJR 447, pages 2049, 2050, 2586, 2614, 2972, Act No. 87-695

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Alabama mothers and babies indigent care trust fund and board, created, medicaid program, expanded—
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Commission on aging, transfer of funds from, legislative committee established to study—
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Alabama family medical catastrophe fund and family medical catastrophe board, established—
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Alabama medical liability act of 1987, established—
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ROBERTS, STANLEY

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SHAW, WILLIE LANDERS

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Small business incubators act established—
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HB 66, pages 21, 754

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Established—
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SMITH, BEV

Commended—
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SMITH, CONRAD LEO

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SMITH, ELIZABETH H.

Commended—
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SMITH, FRANCES

Commended—
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SMITH, GAIL

Commended—
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SMITH, MR. AND MRS. ANDREW CARL, JR.

Commended—
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SMITH, MR. AND MRS. R. J.

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SMITHERMAN, GLENN

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HR 134, page 314

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SNELL, JESSE

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HB 529, pages 376, 683
HB 530, pages 376, 683

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Rape and sodomy, felonies upgraded—
HB 386, pages 258, 749, 1455, 1455, 2528, 2552, 2607, Act No. 87-607

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Beverage container act, established—
HB 178, page 45

Nonreturnable containers, privilege license tax levied, proceeds to remove litter from highways—
HB 931, page 1372

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Subdivision plats and maps onsite sewage disposal units regulated, approval by state board of health, fees, testing, permits regulated—
HB 374, pages 256, 1292

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SPANN, MARTHA MOORE

Death mourned—
HR 368, page 1501

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Administrative assistant, status altered, compensation—
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Death mourned—
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Athletic events held by schools, sales tax exempt—
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Colleges and universities, prohibited from forcing season ticket holders to athletic events to pay a surcharge as a forced contribution—
HB 257, page 61

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Appropriation, provided—
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SPRING GARDEN HIGH SCHOOL

Commended—
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Commended—
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Coroner, assistant coroner, expense allowance, compensation—
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Taxes, additional, county commission authorized to levy, with or without referendum—
HB 554, pages 387, 415, 478, 478, 1153, 1159, 1215, Act No. 87-263

ST. CLAIR, SARAH MAUDE

Death mourned—
HR 231, page 756

ST. STEPHENS HISTORICAL COMMISSION

Established—
HB 803, pages 1018, 1288, 1780, 1781

STALLINGS, JAMES W.

Commended—
SJR 22, pages 329, 482, Act No. 87-82

STALLO, DONNA MARLE

Death mourned—
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STARKEY, WILLIAM DAVID

Road named, portion of jackson county road 58 and county road 60 in its entirety—
HJR 355, pages 1386, 1594, 1774, 1792, 1980, Act No. 87-375

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Compensation and expense allowance, provided—
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Sale or disposal of historic legislative desks authorized by clerk of house or secretary of senate, revenue used for historical preservation—
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Subsistence allowance for certain law enforcement officer extended to certain other such officers—
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HB 518, page 293

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HB 279, page 92

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Public safety department employees who are retired, authorized to be employed with another government entity and continue to receive retirement benefits—
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Retirement, elected state officers authorized to participate in, constitutional amendment—
HB 198, page 50

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Retirement system, attainment of 25 or more years of creditable service, annuity reduced—
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STATE EMPLOYEES INSURANCE BOARD

County and municipal employees placed under state employees' health insurance plan—
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Highway department employees of captive counties, considered state employees for health insurance purposes—
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Subsistence allowance for certain law enforcement officer extended to certain other such officers—
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STATE PROPERTY

Alcoholic beverages, service or consumption of at public functions or upon public property, prohibited—
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State officials entitled to security protection, redefined and qualifications of, assigned—
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Steel industry, joint interim legislative committee established to study—
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STEVENS, DAN

Commended—
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STEWART, STEVE

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Appropriation, provided—
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Black heritage museum of west Alabama, established—
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STINSON, MR. AND MRS. ROY

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Stocks in custody of state authorized to be sold at stock exchange—
HB 614, pages 459, 1690

STOLBERG, IRVING J

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STONE, HUGO

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STOUGH, JOE

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Death mourned—
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SUMTER COUNTY

Ad valorem tax increase—
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Clay, sand and gravel severance tax levied—
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Forest products, severing, processing or manufacturing of, excise and privilege tax, levied on—
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Hazardous waste, fee includes material treated by incineration, recycling or other means—
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Indigent health care fund, established—
HB 1084, pages 1694, 1806, 1996, 1996, 2435, 2449, 2460, Act No. 87-542

Legislative delegation office established—
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Lodging tax levied, distribution—
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Probate judge placed on salary, constitutional amendment—
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Roads or driveways, to residences, county commission authorized to conduct and maintain—
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Sheriff authorized to sell certain property, distribution—
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Alcoholic beverages, Sunday sales permitted—
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Tax assessors and collectors, death benefit to surviving spouse provided—
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Educational employees, granted civil immunity for rendering emergency care in certain instances—
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Contracts void—
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SUTTON, SALLY ANN

Commended—
HJR 6, pages 64, 65, 242, 248, 332, Act No. 87-32

SWEENEY, MARY WANDA

Death mourned—
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SWEET WATER HIGH SCHOOL

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City council elected from single member districts—
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SYLACAUGA NURSES TRAINING SCHOOL

Appropriation, provided—
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TALLADEGA COUNTY GOVERNMENTAL STUDY COMMITTEE

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Appropriation, provided—
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TALLADEGA

Civil service board, established—
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TALLADEGA COUNTY

Amvets club number 25, ad valorem tax exempt—
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TALLAPOOSA COUNTY

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TALLAPOOSA COUNTY (Continued)

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HB 41, pages 16, 88, 222, 222, 1384, 1444, 1471, Act No. 87-325

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HB 989, pages 1614, 1691, 1842, 1843, 2764, 2765, 2859, 2973, Act No. 87-811

Jackson Gap, corporate limits altered—
HB 857, pages 1192, 1365, 1523, 1524, 2422, 2431, 2460, Act No. 87-506

New site, corporate limits altered—
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Tax collector reimbursed for certain errors, fee for invalid checks authorized—
HB 42, pages 16, 89, 222, 223, 1384, 1444, 1471, Act No. 87-326

TALLAPOOSA COUNTY GOVERNMENTAL STUDY COMMITTEE

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TALLASSEE HIGH SCHOOL

Baseball team, commended—
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TALLEY, JOHN HOWELL

Death mourned—
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TAPLEY, DENNY L.

Death mourned—
HR 39, page 189

TAX ASSESSOR

Ad valorem tax collectors, short term investing prior to distribution—
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Ad valorem taxes, errors made in assessment, computations, calculations, collections of such taxes, corrections authorized for tax officials—
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Supernumerary tax assessors, tax collectors, revenue commissioners, license commissioners, qualifications for appointments—
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TAX ASSESSOR (Continued)

Supernumerary tax assessors and collectors, death benefit to surviving spouse provided—
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TAX COLLECTOR

Ad valorem, short term investing prior to distribution—
HB 104, pages 29, 750

Ad valorem taxes, errors made in assessment, computations, calculations, collections of such taxes, corrections authorized for tax officials—
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Supernumerary officials, qualifications—
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Supernumerary tax assessors and collectors, death benefit to surviving spouse provided—
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Counties and municipalities, authorized to provide tax increment financing for revitalization, constitutional amendment—
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Counties, bonds or warrants of the county, not considered bond for certain purposes, said bonds and warrants not deemed part of county's indebtedness, constitutional amendment—
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HB 707, pages 692, 926

UNIFORM CERTIFICATE OF TITLE AND ANTITHEFT ACT

Required to submit motor vehicle identification plates to revenue department of certain instances—
HB 13, pages 7, 180, 2282, 2291, 2311, 2312, 2762, 2857, 2973, Act No. 87-806

UNIFORM COMMERCIAL CODE

Farm products central index system fund, for certain fees altered—
HB 250, pages 60, 87, 407, 408, 657, 1897, 2559, 2560, 2591, 2607, Act No. 87-410

UNION CHAPEL A'S

Softball team, commended—
HR 496, page 2623

UNITED CEREBRAL PALSY, INC.

Appropriation, provided—
SB 680, pages 2413, 2414, 2464, 2664, 2665, 2757, Act No. 87-670

UNITED DAUGHTERS OF THE CONFEDERACY

Alabama division, officers, commended—
HJR 476, pages 2466, 2467, 2586, 2615, 2971, Act No. 87-703

UNITED METHODIST INNER CITY MISSION COUNCIL

Tax exemption, provided—
HB 339, pages 104, 1287

UNITED STATES CONSTITUTION

Constitutional day, governor requested to proclaim—
HJR 300, pages 1178, 1381, 1443, 1471, Act No. 87-309

UNIVERSITY OF ALABAMA HOSPITAL

Commended—
HR 477, page 2467

UNIVERSITY OF ALABAMA-HUNTSVILLE

George C. Wallace supercomputer center, named—
HJR 521, pages 2747, 2761, 2859, 2973, Act No. 87-637

UNIVERSITY OF MONTEVALLO

Certain United States land grant funds transferred to—
HB 517, page 293
SB 22, pages 2062, 2063

USE TAX

Over collection, go to state—
HB 677, page 686
SB 396, pages 1508, 1690, 2655, 2656, 2661, 2757, Act No. 87-647

Sales tax, only one municipality or county collection of sales or use tax on the same sale—
HB 565, pages 389, 931, 1345, 1345, 2521, 2530, 2606, Act No. 87-579

UTILITIES

Computerized telephone calls which are unsolicited, prohibited, penalties—
HB 309, page 98

Electric cooperatives, gas district, terminate service for nonpayment of bills—
HB 322, pages 100, 176, 441, 441, 2859, 2959, 2973, Act No. 87-743

Electric cooperatives, include "powers" within name—
HB 483, pages 287, 414, 503, 503, 504, 2519, 2526, 2606, Act No. 87-576

House trailers, ad valorem tax, utility prohibited from connecting prior to payment, identification decals—
HB 969, page 1494

Municipalities, acquiring or duplicating services of certain waterworks systems, prohibited—
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Rate proceedings before public service commission, attorney general to represent consumers and state government—
HB 470, pages 278, 1289

Rural electric cooperatives, area meetings—
HB 137, pages 37, 177, 514, 514, 1604, 1636, 1675, Act No. 87-388

State facilities seeking competitive bids for coal required to accept bids only from companies selling Alabama coal—
HB 38, page 15

Supplemental home energy assistance program established, economic and community affairs department to administer—
HB 920, page 1369

Unsolicited telephone calls, prohibited—
HB 800, page 1018

Utilities serving state buildings, prohibited from using foreign coal—
HB 39, page 16

Utilities, foreign coal and out of state coal purchased, public service commission to determine effect on rates—
HB 37, page 15

Utilities, notification of by persons excavating, discharging explosives or demolishing buildings—
HB 216, pages 54, 1296

UTILITIES (Continued)

Utilities, rural electric cooperatives to provide telecommunication and communication services—
HB 222, pages 55, 1295, 2248, 2249, 2255, 2256, 2274, 2869, 2963, 2973, Act No. 87-787

Utility tax, municipal corporations to pay—
HB 416, page 264

Water, sewer and fire protection authorities, board of directors compensation—
SB 193, pages 1068, 1368

Waterwork boards which serves areas of four counties, board of directors, appointments and qualifications—
HB 301, page 96, 754

UTILITY CONSUMER PROTECTION

Notification of by persons excavating, discharging explosives or demolishing buildings—
HB 216, pages 54, 1296

VAN DER HORST, LEONIEKE

Commended—
HJR 61, pages 194, 244, 249, 332, Act No. 87-47

VENTURE CAPITAL NETWORK ACT

Established—
HB 66, pages 21, 754

VENUE

Civil actions for personal injury caused by municipal or county officer, venue regulated—
HB 48, pages 17, 175, 340, 341, 1708, 1741, 1802, Act No. 87-391

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HB 25, pages 12, 84, 137, 138, 139, 887, 888, 889, 936, 986, 987, 988, 1047, 1073, 1082, Act No. 87-181

Foreign claims under common law and statutes of United States enforcement regulated, forum non conveniens applies, provide for dismissal of action where more appropriate forum exists outside the state—
HB 26, pages 12, 84, 140, 141, 186, 1046, 1074, 1082, Act No. 87-182

Foreign corporations, may only be sued where a domestic corporation may be sued, constitutional amendment—
HB 24, pages 11, 83, 135, 137, 1046, 1073, 1082, Act No. 87-164

VETERANS

Alabama veterans affairs finance authority, incorporation—
HB 835, page 1115

Income tax check off for Alabama veterans nursing home program—
HB 832, pages 1114, 1601, 2294, 2296, 2312

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Veteran's homes, department of veterans affairs to operate—
HB 834, pages 1115, 1171

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VETERANS AFFAIRS DEPARTMENT

Cigarette tax, distributed to—
HB 833, page 1115

Veteran's homes, department of, to operate—
HB 834, pages 1115, 1171

VETERANS NURSING HOME

Income tax checkoff provided—
HB 832, pages 1114, 1601, 2294, 2296, 2312

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Board of, practice and licensure of, further regulated—
HB 506, pages 291, 626, 2210, 2211, 2596, 2612, 2972, Act No. 87-794

VICTIMS

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HJR 93, pages 215, 216
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Felonies, prohibited from being reduced or dismissed without consent of—
HB 546, page 379

Law enforcement officers, required advise domestic violence victims of availability of a shelter, other service and legal rights—
HB 966, page 1492

Victim notification act—
HB 463, pages 276, 749

Victims and victims counselors, confidential communications—
HB 471, pages 278, 749, 1457, 1458, 1459, 2560, 2593, 2607, Act No. 87-598

Youthful offender act—
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VIETNAM VETERANS

Memorial highway, in Bibb county, named—
HJR 442, page 2046

VITAL STATISTICS

Bureau of, statistical data for certain medical procedures authorized—
HB 591, pages 422, 749

Certified copier of registered records of, fees further provided for—
HB 244, pages 59, 413

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HB 145, page 39

Institute for deaf and blind, required to keep blind register, civil and criminal immunity to reporters—
HB 879, page 1197
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VOLUNTEER AUXILIARY OF UAB

Commended—
HR 471, page 2416
HJR 481, pages 2471, 2472, 2586, 2615, 2971, Act No. 87-704

VOLUNTEERS

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VOTERS AND VOTING

County elections on school taxes, voting hours extended—
HB 697, pages 690, 928, 1536, 1537, 1557, 2580, 2595, 2608, Act No. 87-599

Voter lists posted in public places instead of printed in newspapers—
HB 725, page 760

Voting and elections, constitutional article regarding, repealed—
HB 344, pages 104, 184, 1153, 1154

VOYLES, ANTHONY P.

Commended—
SJR 33, pages 329, 330, 519, Act No. 87-91

WADE, GENE

Commended—
HJR 222, pages 696, 697, 912, 933, 1008, Act No. 87-169

WALKER COUNTY

Ad valorem tax, additional, authorized—
HB 1008, pages 1619, 1684, 1827, 1827

Industrial port authority authorized to be incorporated—
SB 611, pages 1707, 1805, 1993, 1994, 2258, Act No. 87-453

Jasper, civil service board, members compensation altered—
HB 712, pages 757, 1483, 1715, 1716, 2417, 2420, 2460, Act No. 87-497

WALKER COUNTY JUNIOR COLLEGE

Appropriation, provided—
HB 266, pages 63, 416, 868, 868, 1562, 1563, 1591, Act No. 87-353

WALKER, THOMAS EDWARD

Commended—
HR 158, page 367

WALLACE, GEORGE C.

Supercomputer center at university of Alabama-huntsville, named—
HJR 521, pages 2747, 2761, 2859, 2973, Act No. 87-637

WALTERS, HENRY

Commended—
HJR 117, pages 301, 302, 598, 606, 678, Act No. 87-139

WAREHOUSES

Grain dealers, remove cash purchaser exemption, bond waiver exemption for certain persons removed, bond waiver exemption granted in certain instances—
HB 306, pages 97, 180

WARRANTIES

Motor vehicles, lemon law established—
HB 901, page 1352

Property, contract states sale of real estate not subject to implied warranties—
HB 285, pages 93, 621

WARRANTS

Arrests without warrants in certain circumstances—
HB 443, page 272

Board of education, fee limit can pay bank for service as a paying agent, altered—
HB 429, pages 266, 347

Boards of education, authorized to compensate paying banks regarding school warrants—
SB 214, pages 1512, 1513, 1679, 2717, 2718, 2722, 2723, 2757, Act No. 87-825

Counties, bonds or warrants of the county, not considered bond for certain purposes, not deemed part of county's indebtedness, constitutional amendment—
SB 117, pages 1706, 1805

Nighttime search warrants, conditions of issuance regulated—
SB 61, pages 734, 735, 1167, 2494, 2495, 2537, Act No. 87-611

WARRIOR-TOMBIGBEE DEVELOPMENT ASSOCIATION

Appropriations, provided—
HB 1075, pages 1635, 1688, 1991
HB 1076, pages 1635, 1688, 1991

WASHINGTON COUNTY

Sheriff authorized to auction certain confiscated property—
HB 404, pages 261, 415, 475, 475, 1205, 1218, 1364, Act No. 87-281

WASTES

Hazardous material handling teams operated by state, county or municipality granted civil immunity—
HB 809, pages 1020, 1291, 2291, 2292, 2292

Subdivision plats and maps onsite sewage disposal units regulated approval by state board of health, fees, testing, permits regulated—
HB 374, pages 256, 1292

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HB 368, pages 254, 352

WATER AND SEWER SYSTEMS

Alabama water pollution authority, established, organization and operation—
HB 271, pages 64, 177, 743, 873
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County and municipal solid waste, fire water and sewer districts, board members, residency required eliminated—
HB 866, pages 1195, 1295

Municipalities, acquiring or duplicating services of waterworks systems, prohibited—
HB 273, pages 91, 349, 511, 511

Sewer system, county commission authorized to require property owners to connect—
HB 842, pages 1117, 1368, 2256, 2257, 2857, 2962, 2974, Act No. 87-767

Water and sewer authority, members increase—
HB 765, pages 943, 1368

Water, sewer and fire protection authorities, board of directors compensation—
SB 193, pages 1068, 1368

Waterwork boards which serves areas of four counties, board of directors, appointments and qualifications—
HB 301, pages 96, 754

WATER AND WATERCOURSES

Groundwater protection trust fund established, environmental management department to administer—
HB 713, pages 758, 1290, 1893

Groundwater, polluters of regulated, classification, permits regulated fees, penalties, environmental management department to administer—
HB 227, page 56

Pilotage fees revised—
HB 893, pages 1350, 1478

Safe dams act, dams inspected by emergency management agency—
HB 621, page 613

WATER AND WATERCOURSES (Continued)

Tri-rivers waterway development association, warrior-tombigbee development association, coosa-alabama river improvement association—
HB 1020, pages 1622, 1687, 1984, 1985, 2731, 2736, 2973, Act No. 87-759

WATER AUTHORITIES

Municipalities, acquiring or duplicating services of certain waterworks systems, prohibited—
HB 273, pages 91, 349, 511, 511

Water and sewer authority, members increased—
HB 765, pages 943, 1368

Water, sewer and fire protection authorities, board of directors, compensation—
SB 193, pages 1068, 1368
HB 301, pages 96, 754

WATER WELL STANDARDS BOARD

Water wells, closing by county commission if hazardous to health and life—
HB 909, pages 1353, 1595

WATSON, JACQUELINE

Commended—
HJR 361, pages 1498, 1774, 1792, 1980, Act No. 87-378
HR 362, page 1498

WAVES NATIONAL, ALABÀMA UNIT

Commended—
HR 373, page 1567

WEAVER, GALLASNEED

Commended—
SJR 84, pages 950, 1091, Act No. 87-216

WEAVER, WILLIAM HARVEY

Death mourned—
HR 23, page 73

WELFARE

Social work practice, defined—
HB 528, pages 375, 683

Welfare employment skills training program, established—
HB 536, pages 377, 753

WELLS, ASHTON

Commended—
HR 50, page 190

WENINEGAR, JOHN ALBERT

Death mourned—
HR 184, page 464
HR 322, page 1191

WEST LIMESTONE HIGH SCHOOL

Baseball team, commended—
HJR 498, page 2629
HR 508, page 2633

WHITE, EDWARD LEON

Commended—
HJR 335, pages 1304, 1305, 1383, 1441, 1470, Act No. 87-290

WHITT, HERMAN

Death mourned—
HR 318, page 1190

WILCOX COUNTY

Game management programs, hunting over feed plots—
HB 438, pages 271, 303

Probate judge placed on salary, constitutional amendment—
SB 411, pages 1203, 1297, 1416, 1416, 1463, Act No. 87-274

Turkeys, wild, hunting of, regulated—
HB 439, pages 271, 303

Vacancies, officers, certain, method of filling, altered constitutional amendment—
HB 749, pages 921, 1797, 1807, 2008, 2009

WILKINSON, RONALD E.

Commended—
HJR 221, pages 696, 912, 933, 1008, Act No. 87-168

WILLIAMSON, LLOYD

Death mourned—
HR 196, page 638

WILLS AND TRUSTS

Guardians and conservators of an estate, powers and duties—
HB 233, pages 57, 175, 450, 484, 2564, 2591, 2607, Act No. 87-590

Tax exemptions, fiduciaries required to make tax returns for aged, increase in deductable allowed—
HB 60, page 20

Trust companies and certain other financial institutions, authorized purchase securities underwritten by said institution—
HB 426, pages 266, 347

Trust estates investments, investments in african development bank authorized—
HB 934, pages 1373, 1479, 1782, 1783, 2555, 2592, 2607, Act No. 87-593

WILSON, ARTHUR W.

Commended—
HR 516, page 2661
HJR 523, pages 2748, 2749

WILSON, MARCELLA H.

Death mourned—
HR 123, page 304

WINE

Beer and wine suppliers and wholesalers, business relations regulated written agreements, exclusive sales territory authorized—
HB 556, pages 387, 925

Wine basket deliveries permitted by for profit or nonprofit corporations regardless of regulations of alcoholic beverage control board—
HB 685, page 687

WINSTON, WILLIAM OVERTON, III

Death mourned—
SJR 42, pages 951, 1090, Act No. 87-224

WITHERINGTON, MR. AND MRS. COMER

Commended—
HR 80, page 207

WOMEN

Crime of rape, exempt of spouse from definition removed—
SB 251, pages 1356, 1357, 1477, 2515, 2516, 2517, 2518, 2520, 2521, 2522

Domestic abuse, court orders for protection, jurisdiction, venue contents, bearing, issuance, penalties for violations—
HB 967, page 1492

Domestic violence shelters, maximum funding limit deleted, marriage license fee increase—
HB 821, pages 1023, 1170, 1964, 1964, 2540, 2592, 2607, Act No. 87-596

Law enforcement officers, required advise domestic violence victims of availability of a shelter, other services and legal rights—
HB 966, page 1492

Mothers and babies indigent care trust fund, established—
SB 587, pages 1958, 1959, 2270, 2567, 2567, 2619, Act No. 87-707

Rape, exemption from criminal responsibility of spouse, and redefining female—
HB 653, pages 635, 1291

WOOD, RAYMOND L.

Death mourned—
HJR 92, pages 214, 215, 599, 606, 678, Act No. 87-134

WOODALL, STACEY

Commended—
HJR 64, pages 196, 197, 244, 250, 332, Act No. 87-54

WOOTEN, CALVIN

Commended—
HJR 418, pages 1776, 1777, 2585, 2613, 2971, Act No. 87-685
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WORK RELEASE

Prisoners, pretrial detainees unconvicted, may perform certain volunteer work upon approval of county commission, time credited to sentence—
HB 759, page 922

WORKMEN'S COMPENSATION

Actions against third parties, benefits altered—
HB 580, pages 392, 413
HB 914, pages 1354, 1368

Burial benefits, maximum amount increase—
HB 883, page 1198

Business with six or less employees covered—
HB 89, page 26

Employees' benefits deemed a part of employees earnings for purposes of computing the employees average weekly earnings—
HB 569, pages 390, 413, 511

Injured employee required to seek in-state medical services—
HB 532, page 376

Redefined occupational diseases of firemen, compensation—
HB 276, page 91

WORTHLESS CHECKS

District attorneys, worthless check units, authorized to collect service charge on certain checks—
HB 323, pages 100, 183

Finance charge, altered—
SB 319, pages 737, 1291, 2404, 2404, 2499, Act No. 87-565

WU, MAW-KUEN

Commended—
HJR 65, pages 197, 198, 244, 249, 332, Act No. 87-49

WYATT, CECIL

Commended—
HR 240, page 862

WYNN, CORDELL

Commended—
HJR 77, pages 206, 600, 607, 679, Act No. 87-148

YMCA CLEVELAND AVENUE BRANCH

Appropriation, provided—
HB 1049, page 1628

YOUTH SERVICES BOARD

Membership altered—
HB 420, pages 264, 1690

YOUTH SERVICES DEPARTMENT

City and county boards of education, institute for deaf and blind and department of, exempt from gasoline and lubricating oil tax—
HB 209, pages 52, 342, 492, 493, 500, 502, 503, 522, 1394, 1395, 1446, 1474, 1514, 1517, 1575, 1583, 1591, 1710, 1711, 2469, 2504, 2606, Act No. 87-553

Department authorized to purchase goods through state purchasing office—
HB 717, pages 759, 1292, 1538, 1539, 1557

District board of education, membership altered—
HB 420, pages 264, 1690

YOUTHFUL OFFENDERS

Youthful offender act—
HB 607, page 458

Status not available to persons violating motor vehicle laws—
HB 479, pages 286, 925

Status, no person eligible where offense involves motor vehicles and traffic—
HB 524, page 375

ZOGHBY, MARY

Commended—
HJR 169, pages 426, 427, 597, 604, 678, Act No. 87-120

ZONING

Municipalities annexing new territory authorized to freeze construction in new area for certain period pending adoption of zoning regulations—
HB 58, pages 20, 181